STAND. COM. REP. NO.

Honolulu, Hawaii Fcbruary 27, 2013 RE: H.B. No. 457 H.D. 1

Honorable Joseph M. Souki Speaker, House of Representatives Twenty-Seventh State Legislature Regular Session of 2013 State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred H.B. No. 457 entitled:

"A BILL FOR AN ACT RELATING TO ACT 326, SESSION LAWS OF HAWAII 2012, REPORTING REQUIREMENTS,"

begs leave to report as follows:

The purpose of this measure is to clarify the information that must be provided to the Department of Taxation by the operator of a transient accommodation and to modify the penalties for non-compliance.

The Community Associations Institute, AOAO Alii Lani, and numerous individuals testified in support of this measure. The Department of Taxation testified in support of the intent of this measure. Numerous individuals testified in opposition to this measure. The Hawaii Association of Vacation Rental Managers provided comments on this measure.

Your Committee has amended this measure by:

- (1) Adding language that specifies certain criteria for who qualifies as a local contact;
- (2) Changing the penalties for failure to report information required by this measure from a criminal penalty to a civil penalty of \$1,000 that shall be imposed no more than once per year;



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- (3) Clarifying that the reporting requirements for condominium and planned community associations that contain transient accommodations extend only to information that is received from operators;
- (4) Changing the effective date to July 1, 2112, to facilitate further discussion; and
- (5) Making technical, nonsubstantive amendments for the purpose of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 457, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 457, H.D. 1, and be placed on the calendar for Third Reading.

> Respectfully submitted on behalf of the members of the Committee on Consumer Protection & Commerce,

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ANGUS L.K. MCKELVEY, Chair



## State of Hawaii House of Representatives The Twenty-seventh Legislature



## Record of Votes of the Committee on Consumer Protection & Commerce

Bill/Resolution No.:	Committee Referral:	Date: 02/27/2013		
□ The committee is reconsidering its previous decision on the measure.				
The recommendation is to: □ Pass, unamended (as is) □ Pass, with amendments (HD) □ Hold   □ Pass short form bill with HD to recommit for future public hearing (recommit)				
CPC Members	Ayes	Ayes (WR)	Nays	Excused
1. McKELVEY, Angus L.K. (C)				
2. KAWAKAMI, Derek S.K. (VC)				
3. BELATTI, Della Au				
4. BROWER, Tom			· ••••	
5. CABANILLA, Rida T.R.				
6. CACHOLA, Romy M.				
7. CARROLL, Mele				
8. EVANS, Cindy				1
9. HAR, Sharon E.			1011 - 1011	/
10. ITO, Ken				
11. LEE, Chris				
12. TSUJI, Clift				
13. YAMANE, Ryan I.	11			
14. MCDERMOTT, Bob				
15. THIELEN, Cynthia				
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TOTAL (15)	/ 10	)		4
The recommendation is: Adopted Not Adopted If joint referral, did not support recommendation.				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				