Honolulu, Hawaii February 15, 2013

RE: H.B. No. 676 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. 676 entitled:

"A BILL FOR AN ACT RELATING TO DISCRIMINATION,"

begs leave to report as follows:

The purpose of this measure is to prohibit discrimination based on lawful source of income in real estate transactions, including advertisements for available rental units.

The Hawaii Civil Rights Commission testified in support of this measure. The National Association of Residential Property Managers; Hawaii Association of REALTORS; Hawaii Bankers Association; Cornerstone Properties; Hawaii Financial Services Association; Lui & Young Realty, Inc.; Callahan Realty, Ltd.; and two individuals testified in opposition to this measure. The Department of Commerce and Consumer Affairs provided comments on this measure.

Your Committee has amended this measure by:

(1) Applying prohibitions against discrimination based on lawful source of income to the Residential Landlord-Tenant Code, which limits the measure to the rental of residential real property only;

- (2) Adding two new definitions for "rental transaction" and "source of income" to the Residential Landlord-Tenant Code;
- (3) Changing its effective date to July 1, 2112, for the purpose of encouraging further discussion; and
- (4) Making technical, nonsubstantive amendments for the purpose of clarity, consistency, and style.

Your Committee respectfully requests that the Committee on Judiciary investigate the barriers to successful rental transactions faced by owners and property managers in renting to tenants who receive section 8 housing assistance.

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. 676, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 676, H.D. 1, and be referred to the Committee on Judiciary.

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

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.: HB 676	Committee Referral:	Date	02/041	J
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	V			
4. BROWER, Tom				
5. CABANILLA, Rida T.R.				
6. CACHOLA, Romy M.				
7. CARROLL, Mele				
8. EVANS, Cindy	V ,			
9. HAR, Sharon E.	- Ox			
10. ITO, Ken		-		
11. LEE, Chris				
12. TSUJI, Clift			_	
13. YAMANE, Ryan I.				
14. MCDERMOTT, Bob	V V			 -
15. THIELEN, Cynthia		V		
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TOTAL (15)	/	1	18	13
The recommendation is: Adop	oted Not Adopte	ed		
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				