STAND. COM. REP. NO. 607

Honolulu, Hawaii

March 5

, 2015

RE: H.B. No. 866 H.D. 1

Honorable Joseph M. Souki Speaker, House of Representatives Twenty-Eighth State Legislature Regular Session of 2015 State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred H.B. No. 866 entitled:

"A BILL FOR AN ACT RELATING TO THE SECURE AND FAIR ENFORCEMENT FOR MORTGAGE LICENSING ACT,"

begs leave to report as follows:

The purpose of this measure is to establish a mortgage license exemption for sellers of real property who offer or negotiate terms of a mortgage loan secured by the seller's own real property.

The Hawaii Association of REALTORS testified in support of this measure. The Hawaii Association of Mortgage Bankers 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:

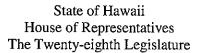
- (1) Specifying that the seller of real property offering or negotiating the terms of a mortgage loan secured by the seller's own real property be the mortgagee and that the mortgage loan be a residential mortgage loan;
- (2) Specifying that the 3 or fewer mortgage loans per calendar year limit refers to residential mortgage loans and that the interest rate on such loans shall not be above the State's usury limit; and

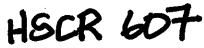
(3) Changing its effective date to July 1, 2112, to encourage further discussion.

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. 866, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 866, 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,

ANGUS L.K. McKELVEY, Chair





Record of Votes of the Committee on Consumer Protection & Commerce

Bill/Resolution No.: HB 866	Committee Referral:		Date: 03 04 15	
☐ 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. WOODSON, Justin H. (VC)	✓			
3. BELATTI, Della Au				/
4. BROWER, Tom				
5. CREAGAN, Richard P.				✓ /
6. HAR, Sharon E.				/
7. HASHEM, Mark J.	- INDEAN A			/
8. KAWAKAMI, Derek S.K.				
9. LEE, Chris				
10 NAKASHIMA, Mark M.				/
11. OSHIRO, Marcus R.				/
12. SAN BUENAVENTURA, Joy A.	<u> </u>			
13. TAKAYAMA, Gregg	1			
14. YAMANE, Ryan I.				
15. FUKUMOTO CHANG, Beth				
16. MCDERMOTT, Bob				/
			W	
	-		*	
			2-2	
TOTAL (16)	9			27
The recommendation is: Adopted If joint referral, did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature:				
Distribution: Original (White) - Committee Duplicate (Yellow) - Chief Clerk's Office Duplicate (Pink) - HMSO				