Honolulu, Hawaii February 15, 2019

H.B. No. 1557

H.D. 1

Honorable Scott K. Saiki Speaker, House of Representatives Thirtieth State Legislature Regular Session of 2019 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1557, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO UNOCCUPIED RESIDENTIAL PROPERTIES, "

begs leave to report as follows:

The purpose of this measure is to prevent a residential property subject to a judicial foreclosure action from becoming unoccupied by:

- Imposing a fine upon the homeowner of a property going through the foreclosure process, the foreclosing party, or prevailing purchaser under certain conditions;
- Requiring counties to regulate rentals of foreclosed (2) properties and enforce fines; and
- Specifying the manner in which the property may be rented during the pendency of the foreclosure proceeding.

A Hawaii County Council member supported this measure. Hawaii Chapter of the Community Associations Institute Legislative Action Committee, Hawaii Bankers Association, Hawaii Financial Services Association, Hawaii Credit Union League, HSBA Collection

Law Section, and Hawai'i Association of REALTORS opposed this measure. The Department of Commerce and Consumer Affairs provided comments.

Your Committee notes that due to the lack of prior concurrence from your Committee on Consumer Protection and Commerce, your Committee did not make amendments to provisions that were beyond the scope of this Committee's jurisdiction. Should your Committee on Finance deliberate on this measure, your Committee respectfully requests that it obtain prior concurrence to make amendments that would authorize, rather than require, each county council to adopt and provide for the enforcement of unoccupied residential properties subject to judicial foreclosure.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1557, H.D. 1, and recommends that it be referred to your Committee on Finance.

Respectfully submitted on behalf of the members of the Committee on Judiciary,

CHRIS LEE, Chair

State of Hawaii House of Representatives The THIRTIETH Legislature

HSCR 751

Record of Votes of the Committee on Judiciary

Bill/Resolution No.: HB 1557 HD1 CP	Referral:	Date	2.14.	19
☐ 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)				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. LEE, Chris (C)				
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2. SAN BUENAVENTURA, Joy A. (VC)				
3. BROWER, Tom				
4. CREAGAN, Richard P.		Mary No. 5045 Monthly Mary	V/mm-Alva-bioxida	
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5. LOWEN, Nicole E.	Electric Live in the			
6. McKELVEY, Angus L.K.	In the state of th			
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7. MORIKAWA, Dee				
		A CHARLES		
8. SAY, Calvin K.Y.				MARINE VERSION AND AND AND AND AND AND AND AND AND AN
9. TAKAYAMA, Gregg				
7. TAKATAWA, Otegg			list with the	7.875 B. 116
10. YAMANE, Ryan I.				
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11. THIELEN, Cynthia				
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TOTAL (11)	8	2		
The recommendation is: Adopted If joint referral, did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature:				
Distribution: Origina (White) - Committee Duplicate (Yellow) - Chief Clerk's Office Duplicate (Pink) - HMSO				