STAND. COM. REP. NO.

428 -20

Honolulu, Hawaii

RE:

FEB 13

H.B. No. 2323

, 2020

H.D. 2

Honorable Scott K. Saiki Speaker, House of Representatives Thirtieth State Legislature Regular Session of 2020 State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred H.B. No. 2323, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE MORTGAGE LOAN RECOVERY FUND,"

begs leave to report as follows:

The purpose of this measure is to expand the pool of persons eligible to receive restitution from the Mortgage Loan Recovery Fund to include those persons the Director of Commerce and Consumer Affairs has determined are entitled to restitution.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs.

Your Committee finds that under the existing system, a restitution payment to an aggrieved person from the Mortgage Loan Recovery Fund is limited to court orders or final judgments against a licensee. This measure seeks to streamline the restitution process by allowing an aggrieved party to obtain restitution by order of the Director of Commerce and Consumer Affairs and enabling the restitution payment to be made from the Mortgage Loan Recovery Fund, rather than requiring the licensee to make the restitution payment to the aggrieved party.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes 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. 2323, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 2323, H.D. 2.

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

ROY M. TAKUMI, Chair

State of Hawaii House of Representatives #SCR 428-20 The THIRTIETH Legislature

Record of Votes of the Committee on Consumer Protection & Commerce

HB 2323 HO	Committee Referral: TAC, CPC, EIN		Date: 2/10/20	
☐ 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. TAKUMI, Roy M. (C)				
2. ICHIYAMA, Linda (VC)	/	3.20 102-11-1		
3. AQUINO, Henry J.C.			Te A	
4. BELATTI, Della Au				
5 CABANILLA ABAYAWA DIL				
5. CABANILLA ARAKAWA, Rida				ė:
6. CACHOLA, Romy M.		1.73		
o. Cachola, Rolly M.		3 - 1 - 1 - 1 <u>1 - 1 - 1 - 1 - 1 - 1 - 1 </u>		
7. HAR, Sharon E.		and the second of the second	in di i di da	
				# 1
8. KONG, Sam Satoru				<u> </u>
9. MIZUNO, John M.			<u>ter summitti Butumi um ayung</u> utsis da ind	
10. ONISHI, Richard H.K.				
11. MATSUMOTO, Lauren	/			
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TOTAL (11)	11	0	0	0
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				