STAND. COM. REP. NO. 5

Honolulu, Hawaii February 15, 2019

RE: H.B. No. 811 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 Consumer Protection & Commerce, to which was referred H.B. No. 811 entitled:

"A BILL FOR AN ACT RELATING TO CONDOMINIUMS,"

begs leave to report as follows:

The purpose of this measure is to extend the safe harbor provisions found in section 45 of Act 181, Session Laws of Hawaii 2017 (Act 181), until July 1, 2020, to provide sufficient time for condominium property regimes to update their developer's public reports.

Act 181 addresses developer public reporting requirements for condominium property regimes issued an effective date pursuant to the now-repealed sections 514A-40 and 514A-41, Hawaii Revised Statutes (HRS).

The Real Estate Commission, American Resort Development Association-Hawaii, Associa, and Marriott Vacations Worldwide Corporation submitted testimony in support of this measure.

Your Committee recognizes that time share plans should not be subject to the same public reporting requirements as condominiums and that Act 181 should be amended to exempt time share plans from public reporting requirements.



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Your Committee has amended this measure to:

HB811 HD1 HSCR CPC HMS 2019-2150

- Clarify that time share plans should be exempt from developer public reporting and related requirements;
- (2) Make technical, nonsubstantive amendments for clarity and style; and
- (3) Change its effective date to July 1, 2050, to facilitate 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. 811, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 811, H.D. 1, and be referred to your Committee on Judiciary.

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

ROY M. TAKUMI, Chair

MSCR 553

State of Hawaii House of Representatives The THIRTIETH Legislature

Record of Votes of the Committee on Consumer Protection & Commerce

	Committee Referral: GPC, JUD		Date: 2/12/19	
□ The committee is reconsidering its previous decision on the measure.				
The recommendation is to: Image: Pass, unamended (as is) Image: Pass, with amendments (HD) Image: Hold Image: Pass short form bill with HD to recommit for future public hearing (recommit) Image: 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)		North States and American		These was shown as
2. ICHIYAMA, Linda (VC)				
3. AQUINO, Henry J.C.	✓			
4. BELATTI, Della Au		Netry mys sikoner, esotika (
5. CABANILLA ARAKAWA, Rida				
6. CACHOLA, Romy M.				
7. HAR, Sharon E.				
8. KONG, Sam Satoru				
9. MIZUNO, John M.				~
10. ONISHI, Richard H.K.				
11. MATSUMOTO, Lauren				
TOTAL (11)	9	0	0	2
The recommendation is: Adopted I Not Adopted did not support recommendation.				
Vice Chair's or designee's signature:				
Distribution: Original (White) - Committee Duplicate (Yellow) - Chief Clerk's Office Duplicate (Pink) - HMSO				