

STAND. COM. REP. NO.

1360

Honolulu, Hawaii

, 2021

MAR 24

RE: S.B. No. 474

S.D. 1

H.D. 1

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirty-First State Legislature  
Regular Session of 2021  
State of Hawaii

Sir:

Your Committee on Water & Land, to which was referred S.B. No. 474, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO REAL PROPERTY TRANSACTIONS,"

begs leave to report as follows:

The purpose of this measure is to require that mandatory seller disclosures in real property transactions include as a material fact, an indication that a residential real property lies within the sea level rise exposure area.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; Hawaii Climate Change Mitigation and Adaptation Commission; City and County of Honolulu Office of Climate Change, Sustainability and Resiliency; Hawai'i Reef Ocean Coalition; Hawaii Shore and Beach Preservation Association; Sierra Club of Hawai'i; Imua Alliance; Hawai'i Association of REALTORS; Surfrider Foundation Hawai'i Region; and one individual.

Your Committee finds that the Hawaii Climate Change Mitigation and Adaptation Commission, established by Act 32, Session Laws of Hawaii 2017, is the coordinating body for policies on climate change mitigation and adaptation for the State. At its September 2018 meeting, the Hawaii Climate Change Mitigation and

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Adaptation Commission agreed to five priority recommendations for countering impacts of sea level rise, including supporting legislation for disclosure for private property and public offerings in areas with potential exposure to sea level rise. Your Committee further finds that it is critical that sea level rise vulnerabilities be disclosed with the sale of a vulnerable coastal property to support informed decision making by buyers and government agencies. Your Committee also finds that the appropriate mechanism to accomplish this disclosure is through the mandatory seller disclosures contained in section 508D-15, Hawaii Revised Statutes.

Your Committee has amended this measure by:

- (1) Changing the way in which the flood maps designating the boundaries of a special flood hazard area are referenced in the mandatory seller disclosure provision; 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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 474, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 474, S.D. 1, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Respectfully submitted on  
behalf of the members of the  
Committee on Water & Land,



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DAVID A. TARNAS, Chair



