

STAND. COM. REP. NO.

223

Honolulu, Hawaii

FEB 09 , 2023

RE: H.B. No. 498

H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred H.B. No. 498 entitled:

"A BILL FOR AN ACT RELATING TO THE COUNTIES,"

begs leave to report as follows:

The purpose of this measure is to authorize the counties, after adoption of an ordinance establishing a power of sale, to sell private property that has failed to comply with public nuisance ordinances or other county ordinances or rules after all notices, orders, and appeal proceedings are exhausted and use the revenues to satisfy unpaid civil fines related to a property subject to a recorded lien.

Your Committee received testimony in support of this measure from one member of the City Council of the City and County of Honolulu and Department of Planning and Permitting of the City and County of Honolulu. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that by authorizing the counties to collect on liens filed on properties through a non-judicial foreclosure process, this measure provides some leverage over landowners to comply or lose their property. If the property owner fails to comply and the property is foreclosed upon, this measure enables the property to be put to productive use, allows

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liens attached to the property to be satisfied, and stops the accrual of additional debt or taxes on the property.

Your Committee has amended this measure by:

- (1) Changing the effective date to June 30, 3000, to encourage further discussion; and
- (2) Making a technical, nonsubstantive amendment 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. 498, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 498, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

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



MARK M. NAKASHIMA, Chair



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Record of Votes of the Committee on Consumer Protection & Commerce

Bill/Resolution No.: HB 498	Committee Referral: CPC, JHA	Date: 2/2/2023		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
CPC Members	Ayes	Ayes (WR)	Nays	Excused
1. NAKASHIMA, Mark M. (C)	/			/
2. SAYAMA, Jackson D. (VC)	/			
3. AMATO, Terez				/
4. BELATTI, Della Au				/
5. HASHEM, Mark J.				/
6. HUSSEY-BURDICK, Natalia	/			
7. GATES, Cedric Asuega	/			
8. LOWEN, Nicole E.	/			
9. ONISHI, Richard H.K.	/			
10. TAM, Adrian K.	/			
11. PIERICK, Elijah	/			
TOTAL (11)	7	0	0	4
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not 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				