

Honolulu, Hawaii

FEB 17 2023

RE: S.B. No. 22
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sir:

Your Committees on Commerce and Consumer Protection and
Housing, to which was referred S.B. No. 22 entitled:

"A BILL FOR AN ACT RELATING TO BED BUGS,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Prohibit landlords, including those operating in public housing and educational dorm settings, from renting a dwelling unit that the landlord knows has a current bed bug infestation; and
- (2) Establish procedures that landlords shall take upon receiving notice of an actual or suspected bed bug infestation.

Your Committees received testimony in support of this measure from the Hawaii Public Housing Authority and one individual. Your Committees received comments on this measure from the Hawaii Pest Control Association.

Your Committees find that there is a resurgence in the population of bed bugs in the United States. While bed bugs have not been shown to transmit disease, they can cause negative physical health, mental health, and economic consequences, including allergic reactions to bites, anxiety and insomnia, and



the expenditure of financial resources to contain infestations. More than twenty states have laws or regulations specific to bed bugs. Hawaii's landlord-tenant laws, however, do not explicitly address bed bugs. This measure prohibits landlords, including those operating in public housing and educational dorm settings, from renting a dwelling unit that the landlord knows has a current bed bug infestation and establishes procedures that landlords must take upon receiving notice of an actual or suspected bed bug infestation.

Your Committees acknowledge the testimony of the Hawaii Pest Control Association, which raised concerns that the times in which a landlord must investigate a suspected bed bug infestation (five days) and take certain remedial actions after confirming a bed bug infestation (seven days), as currently required in this measure, may not be possible given the busy schedules of pest control operators. Your Committees also note the testimony voicing concern about tenants who refuse to allow their landlord or other unknown persons to enter their home, thus obstructing the landlord's duty to inspect and remediate a bed bug infestation in a timely manner. Amendments to this measure are therefore necessary to address these concerns.

Accordingly, your Committees have amended this measure by:


- (1) Amending the amount of time within which a landlord shall acknowledge receipt of notification of a suspected bed bug infestation and inspect or hire investigatory services for the dwelling unit from five days to fourteen days;
- (2) Amending the amount of time within which a landlord shall take certain remedial actions upon the determination that the tenant's unit has an infestation of bed bugs from seven days to fourteen days;
- (3) Inserting a provision conditioning the landlord's duty to inspect a suspected bed bug infestation or remediate a confirmed bed bug infestation on the tenant's provision of reasonable access to the dwelling unit or common areas upon forty-eight hours' notice;



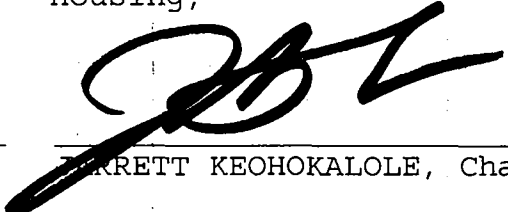
- (4) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (5) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Commerce and Consumer Protection and Housing that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 22, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 22, S.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committees on Commerce and
Consumer Protection and
Housing,



STANLEY CHANG, Chair



TERRETT KEOHOKALOLE, Chair



The Senate
Thirty-Second Legislature
State of Hawai'i


Record of Votes
Committee on Commerce and Consumer Protection
CPN

Bill / Resolution No.:* SB22	Committee Referral: CPN/HOU, JDC	Date: 2/10/23		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
KEOHOKALOOLE, Jarrett (C)	✓			
FUKUNAGA, Carol (VC)	✓			
MCKELVEY, Angus L.K.	✓			
RICHARDS, III, Herbert M. "Tim"	✓			
AWA, Brenton	✓			
TOTAL	4	5	0	0
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes

The Senate
 Thirty-Second Legislature
 State of Hawai'i

Record of Votes
Committee on Housing
HOU

Bill / Resolution No.:* SB 22	Committee Referral: CPN/HOU, JDC	Date: 2/10/2023		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
CHANG, Stanley (C)	✓			
KANUHA, Dru Mamo (VC)	✓			
AQUINO, Henry J.C.	✓			
RHOADS, Karl				✓
AWA, Brenton	✓			
TOTAL	4			1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

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