STAND. COM. REP. NO. 394

Honolulu, Hawaii

FEB 1 6 2023

RE: S.B. No. 863

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 Housing and Commerce and Consumer Protection, to which was referred S.B. No. 863 entitled:

"A BILL FOR AN ACT RELATING TO HOUSING,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Establish the Hawaii Residential Developers Loan Corporation (Corporation) and the Hawaii Residential Developers Loan Special Fund (Special Fund) for the purpose of guaranteeing and insuring loans made by private financial institutions to developers of residential housing for Hawaii residents who will be owner occupants and who own no other real property;
- (2) Allow funds from the Rental Housing Revolving Fund to guarantee and insure loans that private financial institution make to developers of residential housing that is required to be sold to Hawaii residents who will be owner-occupants and who own no other real property; and
- (3) Appropriate funds.

Your Committees received testimony in opposition to this measure from Stanford Carr Development, LLC. Your Committees

received comments on this measure from the Department of Budget and Finance; Department of Commerce and Consumer Affairs; Department of Business, Economic Development, and Tourism; and Hawaii Housing Finance and Development Corporation.

Your Committees find that this measure is meant to increase affordable housing for Hawaii residents who will be owner occupants and who own no other real property by facilitating the guaranteeing and insuring of private loans for developers of certain affordable housing projects. According to testimony received by your Committees, the Rental Housing Revolving Fund (RHRF) was established to provide gap financing for the development of rental housing projects and any redirection of RHRF funds will result in the reduction of affordable rental housing that serves families and seniors in the vulnerable thirty percent and hundred percent area median income range.

Accordingly, your Committees have amended this measure by:

- (1) Adding a duty and power for the Corporation to enhance credit;
- (2) Clarifying that the Corporation shall not provide residential mortgage loans to consumers or guarantee or insure residential mortgage loans made to consumers;
- (3) Clarifying that five voting members of the Board of Directors of the Corporation constitute quorum;
- (4) Deleting language that would have:
 - (A) Allowed the Corporation to use funds from the RHRF to guarantee and insure loans made by private financial institutions to developers of residential housing; and
 - (B) Allowed funds from the RHRF to be deposited into the Special Fund; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Housing and Commerce and Consumer Protection that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 863, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 863, S.D. 1, and be referred to your Committee on Ways and Means.

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

JARTETT KEOHOKALOLE, Chair

ANLEY CHANG, Chair

The Senate Thirty-Second Legislature State of Hawai'i

Record of Votes Committee on Housing HOU

Bill / Resolution No.:*	Committee Referral:			Date:					
SB 863	HOU/CPN, WAM				2/10/2023				
The Committee is reconsidering its previous decision on this measure.									
If so, then the previous decision was to:									
The Recommendation is:									
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313									
Members		Aye	Aye (W	R)	Nay	Excused			
CHANG, Stanley (C)		//							
KANUHA, Dru Mamo (VC)									
AQUINO, Henry J.C.		✓							
RHOADS, Karl									
AWA, Brenton		/							
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TOTAL		4	• •			1			
Recommendation: Adopted 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 Hawaiʻi

Record of Votes Committee on Commerce and Consumer Protection CPN

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Bill / Resolution No.:*	Committee Referral: Date:									
SB863	HOU 1/CPN NAM 2/10/23									
The Committee is reconsidering its previous decision on this measure.										
If so, then the previous decision was to:										
The Recommendation is:										
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313										
Members		Aye	Aye (WR)	Nay	Excused					
KEOHOKALOLE, Jarrett (C)		V								
FUKUNAGA, Carol (VC)		V								
MCKELVEY, Angus L.K.		V								
RICHARDS, III, Herbert M. "Tim"		WIN								
AWA, Brenton		~								
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TOTAL		4	1	0	0					
Recommendation: Adopted Not Adopted										
Chair's or Designee's Signature:										
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Distribution: Original File with Committee Re	Yellow Pink Goldenrod Report Clerk's Office Drafting Agency Committee File Copy									

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