

STAND. COM. REP. NO.

1872

Honolulu, Hawaii

APR 03 , 2023

RE: S.B. No. 921

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

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred S.B. No. 921 entitled:

"A BILL FOR AN ACT RELATING TO LIMITATIONS OF ACTIONS,"

begs leave to report as follows:

The purpose of this measure is to clarify that the tolling provision regarding actions by a condominium association against a developer applies to the statute of repose.

Your Committee received testimony in support of this measure from the Hawaii Council of Association of Apartment Owners and three individuals. Your Committee received testimony in opposition to this measure from the Building Industry Association of Hawaii and NAOIP Hawaii.

Your Committee finds that expressly addressing the impact of the tolling provision regarding actions by a condominium association against a developer on the statute of repose is needed to prevent developers from avoiding responsibility for a design or construction defect by maintaining control of an association until the statute of repose expires.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 921 and recommends that it pass Third Reading.

2023-3065 SB921 HSCR HMSO



Respectfully submitted on
behalf of the members of the
Committee on Judiciary &
Hawaiian Affairs,



DAVID A. TARNAS, Chair



