STAND. COM. REP. NO. 114

Honolulu, Hawaii

, 2023

FEB 07

RE: H.B. No. 211

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 Tourism, to which was referred H.B. No. 211 entitled:

"A BILL FOR AN ACT RELATING TO TRANSIENT ACCOMMODATIONS,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Establish requirements for transient accommodations brokers prior to publishing an advertisement on the availability of a property for lease or rent on behalf of an operator or plan manager;
- (2) Prohibit transient accommodations brokers from engaging in business with an operator or plan manager who is not in compliance with state and county laws; and
- (3) Prohibit a hosting platform from providing booking services in connection with a transient vacation rental that is not lawfully certified, registered, or permitted as a transient vacation rental under applicable county ordinances.

Your Committee received testimony in support of this measure from the Hawai'i Tourism Authority, Hawai'i Lodging & Tourism Association, Keep It Kailua, and two individuals. Your Committee

received testimony in opposition to this measure from Airbnb and Expedia Group. Your Committee received comments on this measure from the Department of Taxation; Tax Foundation of Hawaii; Airbnb Public Policy, Hawaii.

Your Committee finds that throughout the years, the State and counties have attempted to reduce the number of illegal transient accommodations, however the prevalence of such illegal accommodations continues to be a problem. Your Committee believes that focusing on regulating transient accommodations brokers and booking services will not only reduce the number of illegal transient accommodations operating in the State, but also protect consumers from unknowingly using a booking service only to find their accommodation is operating illegally. This measure will further the State's goal to reduce the number of illegal transient accommodations and ensure that consumers are protected against illegal transient accommodations.

Your Committee has amended this measure by:

- (1) Changing the effective date to June 30, 3000, to encourage further discussion; 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 Tourism that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 211, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 211, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Respectfully submitted on behalf of the members of the Committee on Tourism,

SEAN QUINLAN, Chair

State of Hawaii House of Representatives The Thirty-second Legislature

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Record of Votes of the Committee on Tourism

Bill/Resolution No.:	Committee Referral:		Date:	
HB 211	TOU, CPC, FIN 02.02.23			
The committee is reconsidering its previous decision on the measure.				
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit)				
TOU Members	Ayes	Ayes (WR)	Nays	Excused
1. QUINLAN, Sean (C)				
2. HUSSEY-BURDICK, Natalia ((VC) V			
3. HOLT, Daniel	V			
4. KONG, Sam Satoru	V			
hard become a final factor of the factor of			ANTERIAL	
5. LAMOSAO, Rachele F.	√			
6. NAKAMURA, Nadine K.	. V		AND A SUBSEMENT OF	
7. PIERICK, Elijah				
			-	
				-
			-	
TOTAL (7)	6			1
The recommendation is: 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				