STAND. COM. REP. NO.

Honolulu, Hawaii

FEB 06 ' 2023

RE: H.B. No. 84 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 Housing, to which was referred H.B. No. 84 entitled:

"A BILL FOR AN ACT RELATING TO COUNTIES,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Make explicit the counties' authority to enact ordinances to amortize or phase out permitted, nonconforming, or otherwise allowed short-term rentals in any zoning classification; and
- (2) Include swapping, bartering, or exchange of a residential dwelling in the definition of "short-term rental".

Your Committee received testimony in support of this measure from the Hawai'i Tourism Authority and four individuals. Your Committee received testimony in opposition to this measure from Airbnb. Your Committee received comments on this measure from Airbnb Public Policy, Hawaii.

Your Committee finds that certain short-term rentals are permitted to operate in the State through zoning laws adopted in each county. Your Committee further finds that certain short-term

rentals continue operating only by virtue of their status as legal, nonconforming uses that have been grandfathered in. This measure will address this legal loophole by allowing the counties to amortize or phase out permitted, nonconforming, or otherwise allowed short-term rentals in any zoning classification.

Your Committee has amended this measure by:

- (1) Changing the number of minimum days an individual must stay for a dwelling unit to be considered a short-term rental to an unspecified number of days;
- (2) Changing the effective date to July 1, 3000, to encourage further discussion; and
- (3) 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 Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 84, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 84, H.D. 1, and be referred to your Committee on Water & Land.

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

TROY N. HABHIMOTO, Chair

State of Hawaii House of Representatives The Thirty-second Legislature



Record of Votes of the Committee on Housing

Bill/Resolution No.: LBBBL	Committee Referral:	JHA Date	2/1/23	
☐ 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)				
HSG Members	Ayes	Ayes (WR)	Nays	Excused
1. HASHIMOTO, Troy N. (C)				
2. AIU, Micah P.K. (VC)	√			
3. KILA, Darius K.	√			
4. KITAGAWA, Lisa	✓		and the second s	
5. MARTEN, Lisa				
6. ONISHI, Richard H.K.			J	
7. TODD, Chris				
8. MATSUMOTO, Lauren TOTAL (8) The recommendation is:		=		
If joint referral, did not support recommendation.				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				