

STAND. COM. REP. NO.

1878

Honolulu, Hawaii

APR 03 , 2023

RE: S.B. No. 798
S.D. 1
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 Consumer Protection & Commerce, to which was referred S.B. No. 798, S.D. 1, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO TIME SHARING,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Require, as part of a time share plan developer's application for registration or annexation:
 - (A) A list of the projects containing time share units included in the application that are located outside of the State; and
 - (B) A statement by the developer that it has verified that such time share units are in compliance with or not prohibited by the zoning and land use laws and regulations of the jurisdiction where the time share units are located; and
- (2) Specify that the developer is not required to submit any other evidence of this compliance to register in the State.

2023-2990 SB798 HD1 HSCR HMSO



Your Committee received testimony in support of this measure from the American Resort Development Association - Hawaii, Marriott Vacations Worldwide Corporation, and one individual. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs.

Your Committee finds that for time share plans located out-of-state, the Department of Commerce and Consumer Affairs requires evidence that the out-of-state time share units comply with the applicable jurisdiction's zoning requirements. However, this has been difficult for developers to comply with as jurisdictions are not uniform in their zoning regulations and governmental processes, particularly for out-of-state properties located in foreign countries. This requirement has made the registration review of time share projects in the State slower, more expensive, and in some cases, nearly impossible to achieve. This measure will make the registration process of time share projects more efficient and less costly while also maintaining the proper level of consumer protection.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 798, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Consumer
Protection & Commerce,



MARK M. NAKASHIMA, Chair



State of Hawaii
 House of Representatives
 The Thirty-second Legislature

HSCR1878

Record of Votes of the Committee on Consumer Protection & Commerce

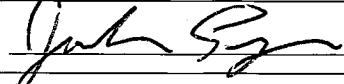
Bill/Resolution No.: SB 798 SDI HD1	Committee Referral: Tou, CPC	Date: 03-28-23
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The committee is reconsidering its previous decision on the measure.

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)

CPC Members	Ayes	Ayes (WR)	Nays	Excused
1. NAKASHIMA, Mark M. (C)	—			
2. SAYAMA, Jackson D. (VC)	—			
3. AMATO, Terez	—			
4. BELATTI, Della Au	—			
5. HASHEM, Mark J.	—			
6. HUSSEY-BURDICK, Natalia	—			
7. GATES, Cedric Asuega	—			
8. LOWEN, Nicole E.				—
9. ONISHI, Richard H.K.				—
10. TAM, Adrian K.	—			
11. PIERICK, Elijah	—			
TOTAL (11)	9			2

The recommendation is: Adopted Not Adopted
 If joint referral, _____ did not support recommendation.
committee acronym(s)

Vice Chair's or designee's signature: 

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