STAND. COM. REP. NO.

3693

Honolulu, Hawaii
APR 05 2024

RE: H.B. No. 1838

H.D. 2 S.D. 2

Honorable Ronald D. Kouchi President of the Senate Thirty-Second State Legislature Regular Session of 2024 State of Hawaii

Sir:

Your Committees on Judiciary and Ways and Means, to which was referred H.B. No. 1838, H.D. 2, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO ZONING,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Expand the zoning powers of counties; and
- (2) Expand the scope of the transient accommodations tax law to include certain shelters and vehicles with sleeping accommodations.

Your Committees received testimony in support of this measure from the Office of Hawaiian Affairs, Office of the Mayor of the County of Maui, one member of the Maui County Council, one member of the Kaua'i County Council, Puakukui Owners Residents
Neighborhood Organization, Kohala Coast Resort Association, Sierra Club of Hawai'i, UNITE HERE Local 5, Help Maui Rise, Tagnawa, Hawai'i Lodging and Tourism Association, Jewish Voice for Peace Hawai'i, Maui Housing Hui, Hawai'i Alliance for Progressive Action, ILWU Local 142, Lāhainā Strong, Green Party of Hawai'i, and more than two hundred individuals.

Your Committees received testimony in opposition to this measure from the O'ahu Short-Term Rental Alliance; Maui Paradise Properties; Hawaii First Realty LLC; Hawaii Legal Short Term Rental Alliance; REALTORS Association of Maui, Inc.; Hawai'i Association of REALTORS; Hawai'i Mid and Short-Term Rental Alliance; Kaua'i Board of REALTORS; Maui Chamber of Commerce; Maui Vacation Rental Association; Tiki Moon Villas; Rental By Owner Awareness Association; West Hawaii Association of REALTORS; Aloha Vacation Rentals; Serendipity Associates; Honolulu Board of REALTORS; ZEN, Inc.; Kama'āina Occupied Short-Term Rentals O'ahu; Molokai Vacation Properties; and more than five hundred fifteen individuals.

Your Committees received comments on this measure from the Department of Taxation, Maui Hotel and Lodging Association, Grassroot Institute of Hawaii, Airbnb, Tax Foundation of Hawaii, and four individuals.

Your Committees find that there is an acute shortage of long-term housing options for residents, which is exacerbated when existing inventory is reserved for visitor use only. Your Committees believe that while the counties are working to address housing demand, they should also be empowered to gradually phase out the use of short-term rentals over time. This measure will increase the availability of long-term housing options by encouraging housing to be used for the purpose of providing long-term homes for the State's residents.

Your Committees have amended this measure by making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Judiciary and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1838, H.D. 2, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as H.B. No. 1838, H.D. 2, S.D. 2.

Respectfully submitted on behalf of the members of the Committees on Judiciary and Ways and Means,

DONOVAN M. DELA CRUZ, Chair

KARL RHOADS, Chair

The Senate Thirty-Second Legislature State of Hawaiʻi

Record of Votes Committee on Judiciary JDC

Bill / Resolution No.:*	Committee Referral:			Date:					
HB 1838 HD2 SD	CPN/EET/GVO, JDC/WAM 03/28/24								
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 (WF	R) Nay	Excused				
RHOADS, Karl (C)		V							
GABBARD, Mike (VC)		V/		·					
ELEFANTE, Brandon J.C.									
SAN BUENAVENTURA, Joy A	١.								
AWA, Brenton									
1									
TOTAL	,	5		-					
Recommendation: Adopted Not Adopted									
Chair's or Designee's Signature.									
Distribution: Original File with Committee Re	Yellow Pink Goldenrod port Clerk's Office Drafting Agency Committee File Cop								

*Only one measure per Record of Votes

The Senate Thirty-Second Legislature State of Hawai'i

Record of Votes Committee on Ways and Means WAM

Bill / Resolution No.:*	Committee Referral: Date:				_			
HB 1838 HD 2 SD1	CPN/EET/GVO, JDC/WAM 3/28/2024							
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			
DELA CRUZ, Donovan M. (C)		X						
MORIWAKI, Sharon Y. (VC)		X						
AQUINO, Henry J.C.		×						
DECOITE, Lynn		×						
HASHIMOTO, Troy N.		X						
INOUYE, Lorraine R.		×						
KANUHA, Dru Mamo					×			
KIDANI, Michelle N.		X						
KIM, Donna Mercado		X						
LEE, Chris		X						
SHIMABUKURO, Maile S.L.					×			
WAKAI, Glenn		×						
FEVELLA, Kurt		X						
TOTAL	1	γl	0	Ø	2			
Recommendation: Adopted Not Adopted								
Chair's or Designee's Signature:								
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