

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

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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



