STAND. COM. REP. NO. 2566

Honolulu, Hawaii FEB 1 6 2024 RE: S.B. No. 2566 S.D. 1

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

Sir:

Your Committee on Government Operations, to which was referred S.B. No. 2566 entitled:

"A BILL FOR AN ACT RELATING TO INFRASTRUCTURE MAINTENANCE IN HOUSING SUBDIVISIONS,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Extend the reporting date for the working group established pursuant to Act 200, Session Laws of Hawaii 2022, to examine and address housing subdivision infrastructure repair and maintenance for planned housing subdivisions that do not have compulsory homeowner associations in certain counties from before the Regular Session of 2024 to before the Regular Session of 2025; and
- (2) Extend the sunset date of the working group to June 30, 2025.

Prior to the hearing on this measure, your Committee posted and made available for public review a proposed S.D. 1, which inserts language to:



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- Require lot owners to pay for the repair and maintenance of subdivision roads where the applicable deed does not specify that requirement;
- (2) Authorize counties to assess and collect fees for repair and maintenance of subdivision roads if no courtappointed or deed-designated entity is appointed;
- (3) Require counties to provide training to associations on their responsibilities, services for certain subdivision assessments, and arbitration and mediation services to resolve disputes between a lot owner and the entity responsible for assessment; and
- (4) Restrict application of the foregoing provisions to counties with a population greater than two hundred thousand, but not more than five hundred thousand.

Your Committee received testimony in support of this measure on the proposed S.D. 1 from one member of the Maui County Council and five individuals.

Your Committee finds that the maintenance of the State's infrastructure is incredibly important. Your Committee also finds that maintenance of infrastructure in certain counties has been neglected in some areas and is currently being wholly supported by volunteer and community driven efforts. This measure will allow the working group additional time to examine this issue, while allowing for maintenance and repair of subdivision roadways that may otherwise fall into despair.

Your Committee has amended this measure by:

- (1) Adopting the proposed SD1; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2566, as amended herein, and recommends that it pass



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Second Reading in the form attached hereto as S.B. No. 2566, S.D. 1, and be referred to your Committee on Ways and Means.

Respectfully submitted on behalf of the members of the Committee on Government Operations,



ANGUS L.K. MCKELVEY, Chair



The Senate Thirty-Second Legislature State of Hawaiʻi

Record of Votes Committee on Government Operations GVO

Bill / Resolution No.:*		Committee Referral: Date:				
SB2566	GVO, WAM 2/13/24					
The Committee is reconsidering its previous decision on this measure.						
If so, then the previous decision was to:						
The Recommendation is:						
Pass, unamended V Pass, with amendments Hold Recommit 2312 2311 2310 2313						
Members		Aye	Aye (WR)	Nay	Excused	
MCKELVEY, Angus L.K. (C)		V				
GABBARD, Mike (VC)						
SAN BUENAVENTURA, Joy A.					/	
WAKAI, Glenn					V/	
AWA, Brenton					V	
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TOTAL		5			2	
Recommendation:						
Chair's or Designee's Signature:						
Distribution: Original Yellow Pink Goldenrod   File with Committee Report Clerk's Office Drafting Agency Committee File Copy						

*Only one measure per Record of Votes