

STAND. COM. REP. NO.

1747

Honolulu, Hawaii

APR 02

, 2025

RE: S.B. No. 385
S.D. 1
H.D. 1

Honorable Nadine K. Nakamura
Speaker, House of Representatives
Thirty-Third State Legislature
Regular Session of 2025
State of Hawaii

Madame:

Your Committee on Consumer Protection & Commerce, to which
was referred S.B. No. 385, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CONDOMINIUMS,"

begs leave to report as follows:

The purpose of this measure is to require condominium
associations to provide copies of their governing documents to
owners or their authorized agents, upon request, in print or
electronic form at no cost.

Your Committee received testimony in support of this measure
from the Palehua Townhouse Association; Hawai'i Association of
REALTORS; Mortgage Bankers Association of Hawaii; and eight
individuals. Your Committee received testimony in opposition to
this measure from Hawaii First Realty and one individual. Your
Committee received comments on this measure from the Honolulu
Tower AOA and seven individuals.

Your Committee finds that the existing condominium law is
based upon the principles of self-governance, owner enforcement,
alternative dispute resolution, and limited government
intervention. Your Committee further finds that the capacity of
condominium owners to effectively govern themselves and enforce
the covenants, conditions, and restrictions of their condominiums



is dependent upon the owners' access to the governing documents. Existing law already authorizes access to governing documents at a reasonable fee. This measure further opens access to those essential documents by making access free.

Your Committee has amended this measure by:

- (1) Requiring electronic copies of the condominium association's governing documents, rather than both paper and electronic copies, to be provided at no cost upon request of the unit owner or the unit owner's authorized agent;
- (2) Clarifying that the access to governing documents includes when the documents are restated, as well as amended;
- (3) Inserting a definition of "governing documents" to mean the declaration; bylaws; covenants, conditions, and restrictions; and house rules;
- (4) Limiting the existing authority to charge a reasonable fee for copies of association documents to be only for duplication, postage, and stationery;
- (5) Changing the effective date to July 1, 3000, to encourage further discussion; and
- (6) 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 385, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 385, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.



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

A handwritten signature in black ink, appearing to read 'Scot Z. Matanoshi', is written over a horizontal line.

SCOT Z. MATANOSHI, Chair



HSCR 1747

Bill/Resolution No.: SB 385 , SD1		Committee Referral: CPC		Date: 3/25/25
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
CPC Members	Ayes	Ayes (WR)	Nays	Excused
1. MATAYOSHI, Scot Z. (C)	<input checked="" type="checkbox"/>			
2. CHUN, Cory M. (VC)	<input checked="" type="checkbox"/>			
3. ILAGAN, Greggor	<input checked="" type="checkbox"/>			
4. ICHIYAMA, Linda	<input checked="" type="checkbox"/>			
5. IWAMOTO, Kim Coco	<input checked="" type="checkbox"/>			
6. KONG, Sam Satoru	<input checked="" type="checkbox"/>			
7. LOWEN, Nicole E.	<input checked="" type="checkbox"/>			
8. MARTEN, Lisa	<input checked="" type="checkbox"/>			
9. TAM, Adrian K.	<input checked="" type="checkbox"/>			
10. PIERICK, Elijah	<input checked="" type="checkbox"/>			
TOTAL (10)	10			
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: _____				
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