

Honolulu, Hawaii  
**FEB 11** , 2026

RE: H.B. No. 1900  
H.D. 1

Honorable Nadine K. Nakamura  
Speaker, House of Representatives  
Thirty-Third State Legislature  
Regular Session of 2026  
State of Hawaii

Madame:

Your Committee on Consumer Protection & Commerce, to which was referred H.B. No. 1900 entitled:

"A BILL FOR AN ACT RELATING TO REMEDIES,"

begs leave to report as follows:

The purpose of this measure is to clarify the process for resolving construction defects.

Your Committee received testimony in support of this measure from the Hawai'i Association of REALTORS and D.R. Horton Hawaii. Your Committee received testimony in opposition to this measure from the Hawaii Insurers Council; Kasdan Turner Thomson Booth, LLC; LippSmith LLP; Berding & Weil LLP; and two individuals.

Your Committee finds that the lack of affordable housing in Hawaii has led to a crisis of increasing homelessness and migration of residents to the continental United States. Your Committee further finds the rising costs of insurance for developers and improvers of real property have contributed to the increased cost of housing and are a direct result of litigation for construction defects.

To mitigate the specter of increased costs from frivolous litigation, Act 308, Session Laws of Hawaii 2025 (Act 308), was enacted to provide greater clarity on the process for resolving



construction defects under the Contractor Repair Act. However, your Committee finds that further refinement is necessary to reduce the threat of unnecessary litigation. This measure implements additional amendments to further the purposes sought under Act 308.

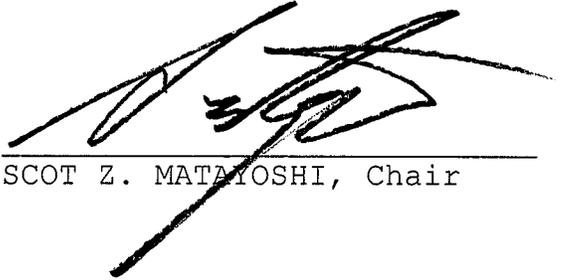
Your Committee has amended this measure by:

- (1) Reverting to the existing statutory language with respect to:
  - (A) The ten-year statute of repose for damages based on construction to improve real property;
  - (B) The effect of the ten-year statute of repose on other statutes of limitations;
  - (C) The contents of a notice of claim for construction defect; and
  - (D) The timeframe for a claimant to accept a proposal to inspect the premises for an asserted construction defect; 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1900, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1900, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.



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



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SCOT Z. MATAYOSHI, Chair



