

STAND. COM. REP. NO. 827

Honolulu, Hawaii
March, 2007

RE: H.B. No. 1627
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fourth State Legislature
Regular Session of 2007
State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which
was referred H.B. No. 1627 entitled:

"A BILL FOR AN ACT RELATING TO CONDOMINIUMS,"

begs leave to report as follows:

The purpose of this bill is to make necessary technical and
conforming amendments related to Hawaii's recodified condominium
law, Chapter 514B, Hawaii Revised Statutes (HRS), including:

- (1) Reinserting in the real estate licensing law, a
reference to Chapter 514A, HRS, the original condominium
law that is still in effect, to allow disciplinary
action to be taken against a real estate licensee for
violation of that chapter;
- (2) Clarifying what is to be included in the condominium
developer's public report and how the report must be
delivered to a purchaser;
- (3) Correcting a drafting error that inadvertently left out
the fidelity bond requirement for condominium
association registration; and



- (4) Clarifying the transitional option for the registration and sale of a condominium for projects initially established under Chapter 514A, HRS, but that are transitioning to Chapter 514B, HRS.

The Community Associations Institute - Hawaii Chapter supported this bill. The Real Estate Commission supported this measure with recommended amendments.

Your Committee finds that several parts of Chapter 514A, HRS, were inadvertently repealed within the three legislative Acts recodifying the condominium law. This measure has been amended to reinsert those parts in Chapter 514A, HRS, retroactive to July 1, 2006. This bill has also been amended as discussed and agreed to by the interested parties by allowing the developer of a project registered under Chapter 514A, HRS, an election to register the project under Chapter 514B, HRS.

Technical, nonsubstantive amendments were also made for 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. 1627, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1627, 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,



ROBERT N. HERKES, Chair



State of Hawaii
House of Representatives
The Twenty-fourth Legislature

HSCR 827

Record of Votes of the Committee on Consumer Protection & Commerce

Bill/Resolution No.: HB 1627		Date: February 28, 2007		
Committee Referral: CPC		<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.		
The recommendation is to:				
<input checked="" type="checkbox"/> Pass, unamended		<input checked="" type="checkbox"/> Pass, with amendments		
<input type="checkbox"/> Hold		<input type="checkbox"/> Pass, with amendments, for recommittal for further consideration		
CPC Members	Ayes	Ayes (WR)	Nays	Excused
1. HERKES, Robert N. (C)	✓			
2. McKELVEY, Angus L.K. (VC)				✓
3. CALDWELL, Kirk	✓			
4. EVANS, Cindy		✓		
5. GREEN, Josh, M.D.				✓
6. ITO, Ken	✓			
7. LUKE, Sylvia	✓			
8. MORITA, Hermina M.	✓			
9. SONSON, Alex M.	✓			
10. SOUKI, Joseph M.	✓			
11. TSUJI, Clift	✓			
12. YAMANE, Ryan I.	✓			
13. YAMASHITA, Kyle T.	✓			
14. MARUMOTO, Barbara C.	✓			
15. THIELEN, Cynthia				✓
TOTAL	11	1		3
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:				
Distribution: Original (White) – Committee Duplicate (Yellow) – HMSO Duplicate (Pink) – Clerk's Office				