

STAND. COM. REP. NO.

135

Honolulu, Hawaii

FEB 07 , 2023

RE: H.B. No. 15  
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 Water & Land, to which was referred H.B. No. 15 entitled:

"A BILL FOR AN ACT RELATING TO REAL PROPERTY LIENS,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Authorize the State and the county in which the affected real property is situated to place a lien on the property for unpaid civil fines resulting from a violation of a land use law in connection with the property; and
- (2) Authorize the State and applicable county, subject to adoption of appropriate and particular laws or rules establishing the power of sale, to sell the property after all notices, orders, and appeal proceedings, if any, are exhausted and use those revenues to pay unpaid civil fines related to that property.

Your Committee received testimony in support of this measure from one member of the Honolulu City Council.

Your Committee finds that numerous properties across Hawaii have received notices of violations or notices of orders that have

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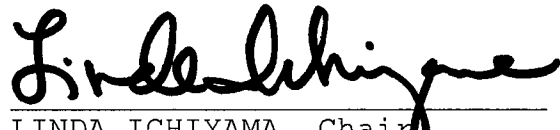


resulted in substantial fines to the property owners. These properties have brought health and safety hazards to neighboring residents and to the community; however, the accruing fines have not been a strong enough incentive to move the property owners to corrective action. Your Committee further finds that the judicial foreclosure process has been successful in some instances. Nevertheless, judicial foreclosure is often a lengthy process that takes valuable resources away from other pressing legal matters. Furthermore, it also leaves the community to face public dangers and nuisances, such as fires, trash, and vermin, in the meantime. Your Committee finds that this measure would allow the State and counties to keep neighborhoods safe by stopping illegal activities, health hazards, and other public nuisances on properties in a more efficient and expeditious manner.

Your Committee has amended this measure by changing its effective date to June 30, 3000, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 15, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 15, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Respectfully submitted on  
behalf of the members of the  
Committee on Water & Land,

  
LINDA ICHIYAMA, Chair



