

STAND. COM. REP. NO.

114-6

Honolulu, Hawaii

March 27, 2015

RE: S.B. No. 17
H.D. 1

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Eighth State Legislature
Regular Session of 2015
State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which
was referred S.B. No. 17 entitled:

"A BILL FOR AN ACT RELATING TO REAL ESTATE SELLER
DISCLOSURE,"

begs leave to report as follows:

The purpose of this measure is to clarify that the required
disclosure of documents by a seller for a residential real
property that is subject to restrictions or conditions on use
applies to documents that are within a seller's knowledge or
control.

The Hawaii Association of REALTORS testified in support of
this measure.

Your Committee has amended this measure by:

- (1) Clarifying that sellers are required to disclose all
documentation relating to any restrictions or conditions
within the seller's knowledge or control, including any
unrecorded rules or guidelines; and
- (2) Making technical, nonsubstantive amendments for clarity,
consistency, and style.



While your Committee received testimony requesting the removal of language that requires the disclosure of all documentation relating to any restrictions or conditions, including unrecorded rules or guidelines, your Committee notes that this language should be retained because it provides greater clarity and certainty in the implementation of this measure.

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. 17, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 17, H.D. 1, and be referred to the Committee on Judiciary.

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



ANGUS L.K. McKELVEY, Chair



HSCR 1146

Bill/Resolution No.:	Committee Referral:	Date:		
SB17	CPC, JUD	03.18.2015		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input checked="" type="checkbox"/> Pass, unamended (as is) <input 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. McKELVEY, Angus L.K. (C)	/			
2. WOODSON, Justin H. (VC)	/			
3. BELATTI, Della Au	/			
4. BROWER, Tom	/			
5. CREAGAN, Richard P.	/			
6. HAR, Sharon E.	/			
7. HASHEM, Mark J.	/			
8. KAWAKAMI, Derek S.K.	/			
9. LEE, Chris	/			
10. NAKASHIMA, Mark M.	/			
11. OSHIRO, Marcus R.	/			
12. SAN BUENAVENTURA, Joy A.	/			
13. TAKAYAMA, Gregg	/			
14. YAMANE, Ryan I.	/			
15. FUKUMOTO CHANG, Beth	/			
16. MCDERMOTT, Bob	/			
TOTAL (16)	16			
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) – Chief Clerk's Office Duplicate (Pink) – HMSO				