

STAND. COM. REP. NO.

1121

Honolulu, Hawaii

March 22, 2013

RE: S.B. No. 913

S.D. 1

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Seventh State Legislature
Regular Session of 2013
State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which
was referred S.B. No. 913, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO TIME SHARES,"

begs leave to report as follows:

The purpose of this measure is to clarify current obligations
under the State's time sharing plans law.

More specifically, this measure:

- (1) Clarifies that a time share plan's disclosure of the
financial obligation of the purchaser shall consist of a
statement that the purchaser is obligated to pay the
initial price in the purchase agreement and a list or
description of any additional charges, rather than the
initial price itself and the additional charges; and
- (2) Clarifies that the prohibition against a sales agent or
acquisition agent making a contract with a purchaser
prior to delivering a promised promotional device or
instrument to the purchaser does not require the sales
agent or acquisition agent to provide the promotional
device or instrument prior to making a sales
presentation.

Testimony in support of this measure was received from
American Resort Development Association, Starwood Vacation

SB913 SD1 HSCR LRB 13-2185.doc



Ownership, and Wyndham Vacation Ownership. Comments were received from the Department of Commerce and Consumer Affairs.

Your Committee finds that the technical amendments of this measure will increase operational efficiencies for time share developers and conform the time share law to current sales and marketing practices without compromising the level of consumer protection currently afforded under the law.

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. 913, S.D. 1, and recommends that it pass Second Reading and be referred to the Committee on Finance.

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



ANGUS L.K. MCKELVEY, Chair



HSCE 121

Record of Votes of the Committee on Consumer Protection & Commerce

Bill/Resolution No.: SB913 SD1	Committee Referral: CPC, FIN	Date: 03/18/2013		
<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 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. McKELVEY, Angus L.K. (C)	/			
2. KAWAKAMI, Derek S.K. (VC)	/			
3. BELATTI, Della Au	/			
4. BROWER, Tom				✓
5. CABANILLA, Rida T.R.	/			
6. CACHOLA, Romy M.	/			
7. CARROLL, Mele				✓
8. EVANS, Cindy	/			✓
9. HAR, Sharon E.				✓
10. ITO, Ken	/			
11. LEE, Chris	/			
12. TSUJI, Clift	/			
13. YAMANE, Ryan I.	/			
14. MCDERMOTT, Bob				✓
15. THIELEN, Cynthia	/			
TOTAL (15)	11			4
The recommendation is: <input type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <small>committee acronym(s)</small>				
Vice Chair's or designee's signature: _____				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				