

STAND. COM. REP. NO.

2363

Honolulu, Hawaii

FEB 14 2014

RE: S.B. No. 2270
S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Seventh State Legislature
Regular Session of 2014
State of Hawaii

Madam:

Your Committee on Public Safety, Intergovernmental and
Military Affairs, to which was referred S.B. No. 2270 entitled:

"A BILL FOR AN ACT RELATING TO COUNTY ZONING,"

begs leave to report as follows:

The purpose and intent of this measure is to confer upon a
property owner a private right of action to file suit directly in
circuit court to enforce zoning violations on neighboring
properties that directly affect them.

Your Committee received testimony in support of this measure
from two individuals. Your Committee received testimony in
opposition to this measure from the Hawaii Association of
REALTORS.

Your Committee finds that counties may not be able to take
action to investigate and enforce every operation that violates
county zoning ordinances. The lack of enforcement of zoning laws
imposes a burden on neighboring property owners, which is an
unfair imposition on their quality of life. This measure seeks to
improve the application of section 46-4, Hawaii Revised Statutes,
and provide aggrieved property owners with a private right of
action to enforce zoning violations in court, without having to
wait until relevant issues are resolved by an administrative body
first or exhaust administrative remedies first.

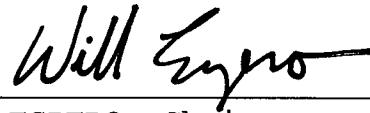
Your Committee has amended this measure by inserting an
effective date of July 1, 2020, to encourage further discussion.

2014-1402 SSCR SMA.doc



As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2270, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2270, S.D. 1, and be referred to the Committee on Judiciary and Labor.

Respectfully submitted on
behalf of the members of the
Committee on Public Safety,
Intergovernmental and Military
Affairs,



WILL ESPERO, Chair



The Senate
Twenty-Seventh Legislature
State of Hawai'i

Record of Votes
Committee on Public Safety and Military Affairs
PSM

Bill / Resolution No.:* SB 2270	Committee Referral: PSM, JDL	Date: 2-11-14		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
ESPERO, Will (C)	✓			
BAKER, Rosalyn H. (VC)	✓			
GALUTERIA, Brickwood	✓			
GREEN, M.D., Josh				✓
SLOM, Sam	✓			
TOTAL	4	-	-	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Rosalyn H. Baker</i>				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

*Only one measure per Record of Votes