

Honolulu, Hawaii

APR 25 2014

RE: S.B. No. 2483
S.D. 1
H.D. 1
C.D. 1

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

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Seventh State Legislature
Regular Session of 2014
State of Hawaii

Madam and Sir:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 2483, S.D. 1, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CONDOMINIUM ASSOCIATIONS,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to:

- (1) Clarify that a condominium board may assess unpaid common expenses against any purchaser who purchases a delinquent unit in a foreclosure; and
- (2) Specify that a condominium board may only fill board vacancies temporarily until the next annual or duly noticed election.

Your Committee on Conference finds that when section 514B-146, Hawaii Revised Statutes, was amended in 2013 to specify that an

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association's six-month special assessment would be paid upon closing of a foreclosure sale, the term "other purchaser" was inadvertently left out of the amended statute. This measure corrects that error. Your Committee on Conference further finds that this measure will help reduce disputes regarding vacancies on condominium boards by clarifying the procedure for filling these vacancies.

Your Committee on Conference has amended this measure by:

- (1) Making an additional amendment to section 514B-146, Hawaii Revised Statutes, to specify that a condominium association's lien for unpaid assessments is subordinate to real property taxes, rather than all taxes, and updating the purpose section of part I of this measure accordingly; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2483, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2483, S.D. 1, H.D. 1, C.D. 1.

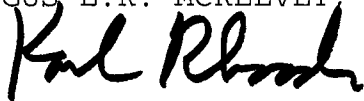
Respectfully submitted on behalf of the managers:

ON THE PART OF THE HOUSE

ON THE PART OF THE SENATE



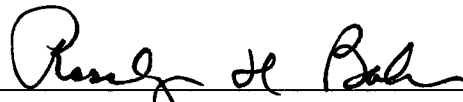
ANGUS L.K. MCKELVEY, Co-Chair



KARL RHOADS, Co-Chair



JO JORDAN, Co-Chair



ROSALYN H. BAKER, Chair



WILL ESPERO, Co-Chair



Hawaii State Legislature

CCR 68-14

Record of Votes of a
Conference Committee

| | |
|---|-------------------------------|
| Bill / Concurrent Resolution No.: SB 2483, SD 1, HD 1 | Date/Time: 4-24-2014 10:21 |
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The recommendation of the House and Senate managers is to pass with amendments (CD).

The Committee is reconsidering its previous decision.

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| <input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure | <input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure. |
|---|---|

| Senate Managers | A | WR | N | E | House Managers | A | WR | N | E |
|-------------------------|----------|----------|----------|----------|-------------------------------|----------|----------|----------|----------|
| BAKER, Rosalyn H., Chr. | ✓ | | | | MCKELVEY, Angus L.K., Co-Chr. | ✓ | | | |
| ESPERO, Will, Co-Chr. | ✓ | | | | RHOADS, Karl, Co-Chr. | ✓ | | | |
| TANIGUCHI, Brian T. | | | | ✓ | JORDAN, Jo, Co-Chr. | ✓ | | | |
| | | | | | EVANS, Cindy | ✓ | | | |
| | | | | | ITO, Ken | | | | ✓ |
| | | | | | MCDERMOTT, Bob | | | | ✓ |
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| TOTAL | 2 | - | - | 1 | TOTAL | 4 | - | - | 2 |

A = Aye WR = Aye with Reservations N = Nay E = Excused

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|---|--|
| Senate Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted | House Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted |
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| Senate Lead Chair's or Designee's Signature: | House Lead Chair's or Designee's Signature: |
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Distribution: **Original** **Yellow** **Pink** **Goldenrod**
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