

STAND. COM. REP. NO. 1622

Honolulu, Hawaii

APR 10, 2015

RE: S.B. No. 17
H.D. 2

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

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 17, H.D. 1, 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 residential real property that is subject to restrictions or conditions on use applies to documents relating to restrictions or conditions within a seller's knowledge or control.

The Hawaii Association of REALTORS supported this measure.

Your Committee has amended this measure by:

- (1) Requiring the seller to provide all documentation, including any documents the seller has knowledge about, should have had knowledge about, is under the seller's control, or should have been under the seller's control;
- (2) Specifying that any document the seller has the right to demand under section 514B-154.5, Hawaii Revised Statutes, shall be considered to be under the seller's control;



- (3) Amending the purpose section to better reflect the purpose of this measure and clarify the intent of Act 186, Session Laws of Hawaii 2013; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 17, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 17, H.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



KARL RHOADS, Chair



