

STAND. COM. REP. NO.

1562

Honolulu, Hawaii

April 4

, 2017

RE: S.B. No. 1227
H.D. 2

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Ninth State Legislature
Regular Session of 2017
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 1227, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO FORECLOSURES,"

begs leave to report as follows:

The purpose of this measure is to make permanent the requirement that an attorney acting on behalf of a mortgagee who is seeking to foreclose on a residential property under a judicial foreclosure action shall file an affirmation pursuant to a prescribed form and under penalty of perjury that the attorney has verified all relevant documents and the mortgagee has standing to foreclose.

The Office of Consumer Protection of the Department of Commerce and Consumer Affairs testified in support of the measure.

Your Committee has amended this measure by:

- (1) Extending the repeal date for the attorney's affirmation requirement from 2017 to 2022 instead of making it permanent; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

SB1227 HD2 HSCR JUD HMS 2017-3410



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. 1227, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1227, H.D. 2.

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



SCOTT Y. NISHIMOTO, Chair



HSCR 1562

Record of Votes of the Committee on Judiciary

Bill/Resolution No.: SB 1227 HD1	Committee Referral: CPC, JUD	Date: 03/29/2017
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The committee is reconsidering its previous decision on the measure.

The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold
 Pass short form bill with HD to recommit for future public hearing (recommit)

JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. NISHIMOTO, Scott Y. (C)	/			
2. SAN BUENAVENTURA, Joy A. (VC)	/			
3. BELATTI, Della Au	/			
4. BROWER, Tom	/			
5. JOHANSON, Aaron Ling	/			
6. LEE, Chris	/			
7. MORIKAWA, Dee	/			
8. NAKASHIMA, Mark M.	/			/
9. OSHIRO, Marcus R.	/			/
10. McDERMOTT, Bob	/			/
11. THIELEN, Cynthia	/			
TOTAL (11)	9			2

The recommendation is: Adopted Not Adopted
 If joint referral, _____ did not support recommendation.
committee acronym(s)

Vice Chair's or designee's signature: 