

STAND. COM. REP. NO.

1666

Honolulu, Hawaii

, 2019

MAR 22

RE: S.B. No. 1292

S.D. 2

H.D. 2

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirtieth State Legislature
Regular Session of 2019
State of Hawaii

Sir:

Your Committees on Consumer Protection & Commerce and
Judiciary, to which was referred S.B. No. 1292, S.D. 2, H.D. 1,
entitled:

"A BILL FOR AN ACT RELATING TO TRANSIENT ACCOMMODATIONS,"

beg leave to report as follows:

The purpose of this measure is to:

- (1) Amend the definition of "transient accommodations" to include other forms of transient accommodations and other terms that the counties may have defined;
- (2) Make any person who fails to register prior to engaging or continuing in the business of furnishing transient accommodations subject to a citation process and monetary fines, rather than a misdemeanor;
- (3) Make any person who enters into an agreement to furnish transient accommodations without registering subject to a citation process and monetary fines; and
- (4) Require hosting platforms that collect fees for booking services to register as tax collection agents on behalf



of their operators and plan managers for purposes of general excise taxes and transient accommodations taxes.

The Department of Taxation, Hawai'i Tourism Authority, Maui Hotel & Lodging Association, and Kohala Coast Resort Association testified in support of this measure. The Department of Planning of the County of Kaua'i, Airbnb, and an individual opposed this measure. The Department of Planning of the County of Maui, Department of Planning and Permitting of the City and County of Honolulu, Tax Foundation of Hawaii, and Expedia Group provided comments on this measure.

Your Committees have amended this measure by:

- (1) Requiring the Director of Taxation to provide the counties with the minimal amount of data necessary to enable the counties to provide for meaningful enforcement of their land use ordinances, rules, or regulations; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Consumer Protection & Commerce and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 1292, S.D. 2, H.D. 1, as amended herein, and recommend that it be referred to your Committee on Finance, in the form attached hereto as S.B. No. 1292, S.D. 2, H.D. 2.

Respectfully submitted on
behalf of the members of the
Committees on Consumer
Protection & Commerce and
Judiciary,



CHRIS LEE, Chair



ROY M. TAKUMI, Chair



State of Hawaii
House of Representatives
The THIRTIETH Legislature

HSCR 1669

Record of Votes of the Committee on Consumer Protection & Commerce

Bill/Resolution No.: SB 1292 SD2 HD1	Committee Referral: TIA, CPC/SUD, FIN	Date: 3/20/19		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input 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. TAKUMI, Roy M. (C)	✓			
2. ICHIYAMA, Linda (VC)	✓			
3. AQUINO, Henry J.C.	✓			
4. BELATTI, Della Au				✓
5. CABANILLA ARAKAWA, Rida	✓			
6. CACHOLA, Romy M.	✓			
7. HAR, Sharon E.	✓			
8. KONG, Sam Satoru	✓			
9. MIZUNO, John M.	✓			
10. ONISHI, Richard H.K.	✓			
11. MATSUMOTO, Lauren	✓			
TOTAL (11)	10	0	0	1
The recommendation is: <input checked="" 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: <i>Linda Chiyama</i>				
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