

STAND. COM. REP. NO.

65

Honolulu, Hawaii

FEB 09 , 2021

RE: H.B. No. 391
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Corrections, Military, & Veterans, to which was referred H.B. No. 391 entitled:

"A BILL FOR AN ACT RELATING TO THE RESIDENTIAL LANDLORD-TENANT CODE,"

begs leave to report as follows:

The purpose of this measure is to establish a process for the early termination of a rental agreement for certain active duty servicemembers who:

- (1) Receive military orders to vacate civilian housing and move into on-post government quarters;
- (2) Become eligible to live in on-post government quarters and failure to move into on-post government quarters will result in a forfeiture of the basic allowance for housing; or
- (3) Die while serving on active duty.

Your Committee received testimony in support of this measure from the Chamber of Commerce Hawaii and four individuals. Your Committee received comments on this measure from one individual.



Your Committee finds that servicemembers can lose their housing allowance when they get divorced, no longer have dependents, or do not have physical custody of children. In this event, servicemembers will be required to move into barracks regardless of any valid lease to which they are a party. Your Committee further finds that this measure will help to ensure that servicemembers will not have to face evictions or serious financial hardship if they are no longer eligible for a basic housing allowance and need to terminate a residential lease for off-post housing.

Your Committee has amended this measure by:

- (1) Making conforming amendments to allow the protections to apply equally to the terminating servicemember tenant and the terminating servicemember tenant's family member, as applicable;
- (2) Adjusting the definition of "servicemember tenant" to clarify that the member is a party to a rental agreement;
- (3) Changing the effective date to July 1, 3050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Corrections, Military, & Veterans that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 391, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 391, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.



Respectfully submitted on
behalf of the members of the
Committee on Corrections,
Military, & Veterans,



TAKASHI OHNO, Chair



State of Hawaii
 House of Representatives
 The Thirty-first Legislature

HSCR 65

Record of Votes of the Committee on Corrections, Military, & Veterans

Bill/Resolution No.: HB 391	Committee Referral: CMV, CPC, JHA	Date: 2/3/21
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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)

CMV Members	Ayes	Ayes (WR)	Nays	Excused
1. OHNO, Takashi (C)	X			
2. GANADEN, Sonny (VC)	X			
3. BRANCO, Patrick Pihana	X			
4. KOBAYASHI, Bertrand	X			
5. KONG, Sam Satoru	X			
6. MORIKAWA, Dee	X			
7. TARNAS, David A.	X			
8. McDERMOTT, Bob				X
TOTAL (8)	XIX (7)			X (1)

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

Vice Chair's or designee's signature: *[Signature]*

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