

House Bills

Bill	Report title	Sponsor	Description	Disposition
HB1415	Civil Actions; Service by Publication; Newspapers	Representative Angus L.K. McKelvey (D)	Specifies the terms "general circulation" as it refers to a newspaper for purposes of service by publication in a civil action.	Did not pass
HB1579	Judgment Liens; Money Judgments	Representative Karl Rhoads (D)	Clarifies that money judgments are considered valid liens against all real property, including registered property, when recorded in the bureau of conveyances	Act 019
HB1656 (companion SB2072)	Service of Process	Representative Karl Rhoads (D)	Specifies the manner of serving summons within the State for a civil action	Did not pass; companion bill SB2072 is Act 041
HB2112	Financial Institutions; State Bank; Hawaii Housing Finance and Development Corporation; Mortgage Foreclosure; Appropriation	Representative Marcus R. Oshiro (D)	Directs DCCA to conduct a comprehensive review of relevant state laws to develop legislation to establish a bank of the State of Hawaii. Appropriates funds to conduct the review. Directs the HHFDC to establish and operate an interim purchase program for distressed residential properties encumbered by problematic mortgages until the bank of the State of Hawaii is operational. Establishes minimum percentages of state funds that shall be deposited in the bank of the State of Hawaii.	Did not pass
HB2267 (companion SB2817)	Mortgage Loan Origination; Housekeeping	Representative Joseph Souki (D)	Adds definition for clarity. Requires a mortgage loan originator company to be open during specified regular business hours to the public and for examination or investigation by the commissioner. Deletes exemptions for individuals facilitating mortgage loans for their family members and family property. Clarifies that a branch manager may not oversee more than one branch office or principal place of business. Excludes certain information included in NMLS form confidentiality provisions of the law.	Did not pass; companion bill SB2817 is Act 198
HB2268 (companion bill SB2818)	Mortgage Servicers	Representative Joseph Souki (D)	Changes the annual license renewal date for mortgage servicers from June 30 to December 31 of each calendar year	Did not pass; companion bill SB2818 is Act 030
HB2275 (companion bill SB2825)	Mortgage Rescue Fraud Prevention; Distressed Property Consultant; Attorney Exception	Representative Joseph Souki (D)	Clarifies definition of "distressed property consultant" and specifies that attorneys must be licensed by and engaged in the practice of law in the State of Hawaii in order to fall within the class of exceptions to the definition of "distressed property consultant".	Act 026

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HB2356	Mortgage Foreclosures; Judicial Foreclosure Actions for Residential Property; Mandatory Dispute Resolution; Mediation	Representative Faye P. Hanohano (D)	Expands the application of mandatory mortgage foreclosure dispute resolution by requiring mortgagees, including Hawaiian home lands trust homestead beneficiaries and lawful successors in interest, to participate, at the mortgagor's election, in mediation to avoid foreclosure or mitigate damages from foreclosure prior to filing a judicial foreclosure action for property that has been the mortgagor's primary residence for a specified period. Applies the dispute resolution requirement to judicial foreclosure actions filed prior to the effective date of this bill and pending an initial court hearing. Effective upon approval.	Did not pass
HB2445	Exemptions; Liens; Attachments	Representative Mark M. Nakashima (D)	Broadens the scope of real property and personal property that is exempt from attachment and execution	Did not pass
HB2446	Foreclosures; Deficiency Judgment	Representative Mark M. Nakashima (D)	Prohibits deficiency judgment in cases of court-ordered foreclosures	Did not pass
HB2513	Mortgage Foreclosures; Affirmation Required When Action Commenced	Representative Nicole Lowen (D)	Requires that an affirmation to be filed with the court at the time the mortgage foreclosure action is commenced	Act 037
HB2557 (companion bill SB2978)	Foreclosures; Associations	Representative Isaac C. Choy (D)	Requires an association to offset any amount that it owes a unit owner against the amount of the assessment prior to an alternative power of sale foreclosure	Did not pass
HB2585	Foreclosures; Association Assessments; Notice	Representative Angus L.K. McKelvey (D)	Specifies parties other than unit owners who may be served notice by publication and posting of nonjudicial foreclosure	Act 004

Senate Bills

Bill	Report title	Sponsor	Description	Hearing	Disposition
SB2013	Tax; Wholesale	Senator Suzanne N.J. Chun Oakland (D)	Increases the tax levied on wholesale sales from .05 per cent to 1.5 per cent beginning 2015.	Did not pass	
SB2072 (companion bill HB1656)	Service of Process	Senator Clayton H.W. Hee (D)	Specifies the manner of service summons within the State for a civil action.	Act 041	
SB2482	Homeowners Association; Nonjudicial Foreclosure; Publication; Alternate Remedies for Failure to Serve	Senator Rosalyn H. Baker (D)	Clarifies the parties that a homeowners association can serve through publication, after a hearing before a judge in a nonjudicial foreclosure proceeding.	Did not pass	
SB2483	Condominium Association; Fiscal Matters; Unpaid Common Fees Assessments; Real Property Tax	Senator Rosalyn H. Baker (D)	Clarifies that a condominium association's lien is subordinate to real property taxes, rather than all taxes. Clarifies that a condominium association may assess unpaid common fees against a purchaser, in addition to a mortgagee, who purchases a delinquent unit in a judicial or nonjudicial power of sale foreclosure.	Act 235	
SB2484	Community Associations; Unpaid Assessments	Senator Rosalyn H. Baker (D)	Provides a remedy for community associations to recover unpaid assessments for a share of common expenses up to the time of a grant or conveyance of property. Entitles both parties to a statement from a board of directors, either directly or through its managing agent or resident manager, setting forth the amount of the unpaid assessments. Relieves the grantee of liability for any unpaid assessments against the grantor in excess of the amount set forth in the statement, except as to the amount of subsequently dishonored checks mentioned in the statement as having been received within the thirty day period immediately preceding the date of such statement.	Did not pass	
SB2485	Affordable Housing Credits	Senator Rosalyn H. Baker (D)	Extends to June 30, 2018, the time period in which affordable housing credits are required to be issued for each single-family residence, multi-family unit, other residential unit, or if allowed under the county's affordable housing programs, vacant lot, developed by the Department of Hawaiian Home Lands. Effective July 1, 2014	Did not pass	

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SB2817 (companion HB2267)	Mortgage Loan Origination; Housekeeping	Senator Donna Mercado Kim (D)	Adds definitions of clarity. Requires a mortgage loan originator company to be open during specific regular business hours to the public and for examination or investigation by the commissioner. Deletes exemptions for individuals facilitating mortgage loans for their family members and family property. Clarifies that a branch manager may not oversee more than one branch office or principal place of business. Excludes certain information included in NMLS from confidentiality provisions of the law.	Act 198	
SB2818 (companion bill HB2268)	Mortgage Servicers	Senator Donna Mercado Kim (D)	Changes the annual license renewal date for mortgage servicers from June 30 to December 31 of each calendar year	Act 030	
SB2825 (companion bill HB2275)	Mortgage Rescue Fraud Prevention; Distressed Property Consultant; Attorney Exception	Senator Donna Mercado Kim (D)	Clarifies definition of "distressed property consultant" and specifies that attorneys must be licensed by and engaged in the practice of law in the State of Hawaii in order to fall within the class of exceptions to the definition of "distressed property consultant"	Did not pass; companion HB2275 is Act 026	
SB2978 (companion bill HB2557)	Foreclosure; Associations	Senator David Y. Ige (D)	Requires an association to offset any amount that it owes a unit owner against the amount of the assessment prior to an alternative power of sale foreclosure.	Did not pass	
SB3101	Rules of Evidence; Foreclosure; Bank Documents; Authentication	Senator Willie C. Espero (D)	Establishes a new rule of evidence requiring a bank to submit evidence that a bank document was authenticated by the bank prior to placement in the bank's files, before a court will admit the document into evidence in a foreclosure action. Prohibits evidence that a document was filed with the bureau of conveyances from satisfying the authentication requirement pursuant to this rule.	Did no pass	