



GOV. MSG NO 622

EXECUTIVE CHAMBERS
HONOLULU

LINDA LINGLE
GOVERNOR

April 21, 2009

The Honorable Colleen Hanabusa, President
and Members of the Senate
Twenty-Fifth State Legislature
State Capitol, Room 409
Honolulu, Hawaii 96813

Dear Madam President and Members of the Senate:

This is to inform you that on April 21, 2009, the following bill was signed into law:

SB1113 SD1

A BILL FOR AN ACT
RELATING TO GEOGRAPHIC LIMITATIONS ON
TIME SHARES.
ACT 012 (09)

Sincerely,



LINDA LINGLE

A BILL FOR AN ACT

RELATING TO GEOGRAPHIC LIMITATIONS ON TIME SHARES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 514E-5, Hawaii Revised Statutes, is
2 amended to read as follows:

3 **"§514E-5 Geographic limitations.** Except as provided in
4 this section, time share units, time share plans, and transient
5 vacation rentals are prohibited.

6 (1) Existing time share units, time share plans, and
7 transient vacation rentals are not impaired by the
8 provisions of this section.

9 (2) Time share units, time share plans, and transient
10 vacation rentals are allowed:

11 (A) In areas designated for hotel use, resort use, or
12 transient vacation rentals, pursuant to county
13 authority under section 46-4, or where the
14 county, by its legislative process, designates
15 hotel, transient vacation rental, or resort use;

16 (B) In a hotel where the county explicitly approves
17 such use, in advance, as a nonconforming use; or



1 (C) In a county with a population in excess of five
2 hundred thousand, in an existing hotel which is a
3 valid nonconforming use under county ordinance[+
4 ~~provided that the property shall have at least~~
5 ~~sixty units and at least forty per cent of the~~
6 ~~units, upon completion of sales of the time share~~
7 ~~intervals in the project, shall be made available~~
8 ~~for sale as residential apartments or rented as~~
9 ~~residential apartments]."~~

10 SECTION 2. Statutory material to be repealed is bracketed
11 and stricken.

12 SECTION 3. This Act shall take effect upon its approval.

APPROVED this 21 day of APR, 2009



GOVERNOR OF THE STATE OF HAWAII