
A BILL FOR AN ACT

RELATING TO PLANNED COMMUNITY ASSOCIATIONS.

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

1 SECTION 1. Chapter 421J, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:
4 "§421J- Flag poles. (a) Notwithstanding any law to the
5 contrary, no member shall be prohibited by any association
6 document, covenant, declaration, bylaws, restriction, deed,
7 lease, term, provision, condition, codicil, contract, or similar
8 binding agreement, however worded, from erecting and using a
9 flag pole for the purpose of displaying the flag of the United
10 States or of the State on the premises of any detached single-
11 family residential dwelling or townhouse that the member owns;
12 provided that the board of directors may implement reasonable
13 restrictions with regard to flag poles, including with respect
14 to size and location, that do not prohibit the erection and use
15 of flag poles altogether.
16 (b) No association or board of directors shall assess or
17 charge any homeowner any fees or fines, or impose on any
18 homeowner any penalties, for the placement of any flagpole."



1 SECTION 2. New statutory material is underscored.

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



Report Title:

Planned Community Associations; Flag

Description:

Allows for the use of flag poles to display the flag of the United States or of the State on the premises of single-family residential dwellings or townhouses that are part of a planned community. Restricts associations and boards of directors from assessing or charging a fee for the placement of a flagpole. Allows reasonable restrictions on the placement and size of flag poles. (HB2311 HD1)

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