



GOV. MSG. NO. 1143

EXECUTIVE CHAMBERS
HONOLULU

NEIL ABERCROMBIE
GOVERNOR

April 23, 2012

The Honorable Shan Tsutsui, President
and Members of the Senate
Twenty-Sixth State Legislature
State Capitol, Room 409
Honolulu, Hawaii 96813

The Honorable Calvin Say, Speaker
and Members of the House
Twenty-Sixth State Legislature
State Capitol, Room 431
Honolulu, Hawaii 96813

Dear President Tsutsui, Speaker Say and Members of the Legislature:

This is to inform you that on April 23, 2012, the following bill was signed into law:

HB2628 HD2

RELATING TO THE RESIDENTIAL LANDLORD-
TENANT CODE.

Act 043 (12)

Sincerely,

NEIL ABERCROMBIE
Governor, State of Hawaii

A BILL FOR AN ACT

RELATING TO THE RESIDENTIAL LANDLORD-TENANT CODE.

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

1 SECTION 1. Section 521-7, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "§521-7 Exclusions from application of chapter. Unless
4 created solely to avoid the application of this chapter, this
5 chapter shall not apply to:

6 (1) Residence at an institution, whether public or
7 private, where residence is merely incidental to
8 detention or the provision of medical, geriatric,
9 educational, religious, or similar services;

10 (2) Residence in a structure directly controlled and
11 managed by [the]:

12 (A) The University of Hawaii or any other university
13 or college in the State for housing its own
14 students or faculty [of the University of Hawaii]
15 or residence in a structure erected on land
16 leased from the [University of Hawaii] university
17 or college by a nonprofit corporation for the
18 exclusive purpose of housing students or faculty



1 of the [~~University of Hawaii;~~] college or
2 university; or

3 (B) A private dorm management company that offers a
4 minimum of fifty beds to students of any college,
5 university, or other institution of higher
6 education in the State;

7 (3) Occupancy under a bona fide contract of sale of the
8 dwelling unit or the property of which it is a part
9 where the tenant is, or succeeds to the interest of,
10 the purchaser;

11 (4) Residence by a member of a fraternal organization in a
12 structure operated without profit for the benefit of
13 the organization;

14 (5) Transient occupancy on a day-to-day basis in a hotel
15 or motel;

16 (6) Occupancy by an employee of the owner or landlord
17 whose right to occupancy is conditional upon that
18 employment or by a pensioner of the owner or landlord
19 or occupancy for a period of up to four years
20 subsequent thereto, pursuant to a plan for the
21 transfer of the dwelling unit or the property of which
22 it is a part to the occupant;

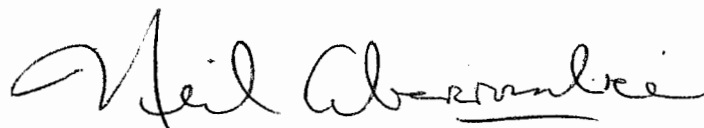


- 1 (7) A lease of improved residential land for a term of
- 2 fifteen years or more, measured from the date of the
- 3 commencement of the lease;
- 4 (8) Occupancy by the prospective purchaser after an
- 5 accepted offer to purchase and prior to the actual
- 6 transfer of the owner's rights;
- 7 (9) Occupancy in a homeless facility or any other program
- 8 for the homeless authorized under part XVII of chapter
- 9 346;
- 10 (10) Residence or occupancy in a public housing project or
- 11 complex directly controlled, owned, or managed by the
- 12 Hawaii public housing authority pursuant to the
- 13 federal low rent public housing program; or
- 14 (11) Residence or occupancy in a transitional facility for
- 15 abused family or household members."

16 SECTION 2. Statutory material to be repealed is bracketed
 17 and stricken. New statutory material is underscored.

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

APPROVED this 23 day of APR, 2012



GOVERNOR OF THE STATE OF HAWAII

