



GOV. MSG. NO. 1235

EXECUTIVE CHAMBERS
HONOLULU

DAVID Y. IGE
GOVERNOR

June 19, 2015

The Honorable Ronald D. Kouchi,
President
and Members of the Senate
Twenty-Eighth State Legislature
State Capitol, Room 409
Honolulu, Hawai'i 96813

The Honorable Joseph M. Souki,
Speaker and Members of the
House of Representatives
Twenty-Eighth State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Souki, and Members of the Legislature:

This is to inform you that on June 19, 2015, the following bill was signed into law:

SB17 HD2 CD1

RELATING TO REAL ESTATE SELLER
DISCLOSURE
ACT 135 (15)

Sincerely,

DAVID Y. IGE
Governor, State of Hawai'i

A BILL FOR AN ACT

RELATING TO REAL ESTATE SELLER DISCLOSURE.

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

1 SECTION 1. The purpose of this Act is to clarify that the
2 required disclosure of documents by a seller for residential
3 real property that is subject to restrictions or conditions on
4 use applies to documents relating to restrictions or conditions
5 in a manner consistent with and subject to the seller's duty of
6 good faith as provided for under section 508D-9, Hawaii Revised
7 Statutes.

8 SECTION 2. Section 508D-3.5, Hawaii Revised Statutes, is
9 amended by amending subsection (b) to read as follows:

10 "(b) If the residential real property is otherwise subject
11 to restrictions or conditions on use, either because of
12 covenants contained in the deed for the property or because of
13 another recorded document, the disclosure shall also include all
14 documentation relating to any restrictions or conditions,
15 including but not limited to any unrecorded rules or guidelines
16 that may have been issued by any entity responsible for
17 enforcing those restrictions or guidelines[-] in a manner



1 consistent with and subject to the seller's duty of good faith
2 as provided for under section 508D-9."

3 SECTION 3. Statutory material to be repealed is bracketed
4 and stricken. New statutory material is underscored.

5 SECTION 4. This Act shall take effect on November 1, 2015.
6

APPROVED this 19 day of JUN, 2015



GOVERNOR OF THE STATE OF HAWAII