
A BILL FOR AN ACT

RELATING TO HOMEOWNERS' ASSOCIATIONS.

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

1 SECTION 1. The legislature finds that there are
2 subdivisions that do not fit into the current definition of a
3 "planned community association", as used in the laws regarding
4 homeowners' associations. Accordingly, the homeowners'
5 associations in these subdivisions remain unregulated and lack
6 access to the cost-effective dispute resolution mechanisms
7 provided by those laws.

8 The legislature further finds that applying the homeowners'
9 associations laws to these subdivisions will allow the
10 subdivisions to be regulated and to have access to current
11 mediation processes.

12 The purpose of this Act is to expand the definition of
13 planned community associations to include homeowners'
14 associations.

15 SECTION 2. Section 421J-2, Hawaii Revised Statutes, is
16 amended by amending the definition of "association" to read as
17 follows:



1 "Association" means a nonprofit, incorporated, or
2 unincorporated organization:

3 (1) Upon which responsibilities are imposed and to which
4 authority is granted in a declaration that governs a
5 planned community; ~~[or]~~

6 (2) That is a planned community association as defined
7 under section 607-14 ~~[or]~~; or

8 (3) That is a homeowners' association, in which:

9 (A) The voting membership is made up of parcel owners
10 or their proxies, or a combination thereof; and

11 (B) Assessments may be imposed that, if unpaid, may
12 become a lien on the parcel."

13 SECTION 3. This Act does not affect rights and duties that
14 matured, penalties that were incurred, and proceedings that were
15 begun before its effective date.

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 Statutory material to be repealed is bracketed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

18 SECTION 5. This Act shall take effect on July 1, 2112.



Report Title:

Homeowners' Associations; Planned Community Associations

Description:

Expands the law on planned community associations to apply to homeowners' associations. (HB192 HD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

