A BILL FOR AN ACT

RELATING TO CONDOMINIUMS.

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

SECTION 1. Section 514B-154, Hawaii Revised Statutes, is amended by amending subsection (c) to read as follows:

"(c) After any association meeting, and not earlier, unit owners shall be permitted to examine proxies, tally sheets, ballots, owners' check-in lists, and the certificate of election; provided that:

1. Owners shall make a request to examine the documents within thirty days after the association meeting;
2. The board may require owners to furnish to the association a duly executed and acknowledged affidavit stating that the information is requested in good faith for the protection of the interest of the association or its members or both; and
3. Owners shall pay for administrative costs in excess of eight hours per year.

[If there are no requests to examine proxies and ballots, the] The documents may be destroyed [thirty days] ninety days
after the association meeting[... If there are requests to
examine proxies and ballots, the documents shall be kept for an
additional sixty days, after which they may be destroyed];
provided that in the event of a contested election, the
documents shall be retained until the contested election is
resolved. Copies of tally sheets, owners' check-in lists, and
the certificates of election from the most recent association
meeting shall be provided to any owner upon the owner's request;
provided that the owner pays a reasonable fee for duplicating,
postage, stationery, and other administrative costs associated
with handling the request."

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 Statutory material to be repealed is bracketed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

SECTION 3. This Act shall take effect upon its approval.
Report Title:
Condominiums; Condominium Associations; Proxies and Ballots;
Document Retention

Description:
Specifies that a condominium association's proxies and ballots
may be destroyed ninety days, rather than thirty days, after an
association meeting, unless the election is contested, in which
case the documents shall be retained until resolution of the
contested election. (SD1)

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not legislation or evidence of legislative intent.