
A BILL FOR AN ACT

RELATING TO COMMON INTEREST COMMUNITIES.

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

1 SECTION 1. Chapter 421J, Hawaii Revised Statutes, is
2 amended by adding two new sections to be appropriately
3 designated and to read as follows:

4 "§421J- Board; resignation. A member of the board of
5 directors may resign from the board at any time by:

6 (1) Delivering a signed written notice of resignation to
7 the association's property manager, board of
8 directors, president, or secretary;

9 (2) Communicating the notice of resignation by electronic
10 mail to the association's property manager, board of
11 directors, president, or secretary at the electronic
12 mailing address designated in writing by the person
13 receiving the electronic mail; provided that an
14 electronic signature is attached to the electronic
15 mail; or

16 (3) Providing notice during a meeting in writing.



1 A resignation is effective when the notice is received, unless
2 the notice specifies a later effective date. If a resignation
3 is made effective at a later date, the board may fill the
4 pending vacancy before the effective date; provided that the
5 successor does not take office until the effective date.

6 For purposes of this section, "electronic signature" means
7 a method of signing an electronic message that identifies a
8 particular person as the source of the message and indicates the
9 person's approval of the information contained in the message.

10 §421J- Board; vacancies. Notwithstanding any provision
11 in any association documents to the contrary, the board may only
12 fill vacancies in its membership to serve until the next annual
13 association meeting or duly noticed special association meeting.
14 Notice of a special association meeting to fill vacancies shall
15 include notice of the election. Any special association meeting
16 to fill vacancies shall be held on a date that allows sufficient
17 time for owners to declare their intentions to run for election
18 and to solicit proxies for that purpose."

19 SECTION 2. Chapter 514B, Hawaii Revised Statutes, is
20 amended by adding a new section to be appropriately designated
21 and to read as follows:



1 "§514B- Board; resignation. A member of the board of
2 directors may resign from the board at any time by:

3 (1) Delivering a signed written notice of resignation to
4 the association's property manager, board of
5 directors, president, or secretary;

6 (2) Communicating the notice of resignation by electronic
7 mail to the association's property manager, board of
8 directors, president, or secretary at the electronic
9 mailing address designated in writing by the person
10 receiving the electronic mail; provided that an
11 electronic signature is attached; or

12 (3) Providing notice during a meeting in writing.

13 A resignation is effective when the notice is received, unless
14 the notice specifies a later effective date. If a resignation
15 is made effective at a later date, the board may fill the
16 pending vacancy before the effective date; provided that the
17 successor does not take office until the effective date.

18 For purposes of this section, "electronic signature" means
19 a method of signing an electronic message that identifies a
20 particular person as the source of the message and indicates the
21 person's approval of the information contained in the message."



- 1 SECTION 3. New statutory material is underscored.
- 2 SECTION 4. This Act shall take effect on July 1, 2050.



Report Title:

Common Interest Communities; Planned Community Associations;
Condominium Associations; Resignation; Vacancies; Board of
Directors

Description:

Specifies the manner in which a member of a board of a planned
community association or condominium association may resign.
Limits a planned community association board's ability to fill a
vacancy. Effective 7/1/2050. (SD1)

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

