

JAN 24 2007

A BILL FOR AN ACT

RELATING TO TRANSIENT VACATION RENTALS.

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

1 SECTION 1. Section 514E-1, Hawaii Revised Statutes, is
2 amended by amending the definition of "transient vacation
3 rentals" to read as follows:

4 "Transient vacation [~~rentals~~] rental" means [~~rentals~~] a
5 rental in a single-unit or a multi-unit building to [~~visitors~~] a
6 visitor over the course of [~~one or more years,~~] at least one
7 year, with [~~the~~] each duration of transient occupancy lasting
8 for less than thirty days [~~for the transient occupant~~]."

9 SECTION 2. Section 514E-5, Hawaii Revised Statutes, is
10 amended to read as follows:

11 "**§514E-5 Geographic limitations.** Except as provided in
12 this section, time share units, time share plans, and transient
13 vacation rentals are prohibited.

14 (1) Existing time share units[~~]~~ and time share plans[~~]~~
15 ~~and transient vacation rentals]~~ are not impaired by
16 the provisions of this section.



- 1 (2) Time share units[7] and time share plans[7] ~~and~~
2 ~~transient vacation rentals~~] are allowed:
- 3 (A) In areas designated for hotel use[7] or resort
4 use[7] ~~or transient vacation rentals,~~] pursuant to
5 county authority under section 46-4, or where the
6 county, by its legislative process, designates
7 hotel[7] ~~transient vacation rental,~~] or resort
8 use;
- 9 (B) In a hotel where the county explicitly approves
10 such use, in advance, as a nonconforming use; or
- 11 (C) In a county with a population in excess of five
12 hundred thousand, in an existing hotel which is a
13 valid nonconforming use under county ordinance;
14 provided that the property shall have at least
15 sixty units and at least forty per cent of the
16 units, upon completion of sales of the time share
17 intervals in the project, shall be made available
18 for sale as residential apartments or rented as
19 residential apartments."

20 SECTION 3. This Act does not apply to transient vacation
21 rentals that are operating under valid licenses or permits
22 issued by any county prior to the effective date of this Act.



1 SECTION 4. There is appropriated out of the general
 2 revenues of the State of Hawaii the following sums, or so much
 3 thereof as may be necessary for fiscal year 2007-2008, and the
 4 same sums, or so much thereof as may be necessary for fiscal
 5 year 2008-2009, to assist the counties in enforcing section
 6 514E-5, Hawaii Revised Statutes, in particular the pursuit of
 7 persons operating transient vacation rental units and
 8 enforcement against violators:

| | | |
|----|-----------------------------|----|
| 9 | City and county of Honolulu | \$ |
| 10 | County of Kauai | \$ |
| 11 | County of Maui | \$ |
| 12 | County of Hawaii | \$ |
| 13 | Total | \$ |

14 The sums appropriated shall be expended by each county,
 15 respectively, for the purposes of this Act.

16 SECTION 5. This Act shall take effect on July 1, 2007.

17
 INTRODUCED BY: Mike Gabbard

Report Title:

Transient Vacation Rentals; Prohibition

Description:

Prohibits transient vacation rentals. Appropriates funds to counties for enforcement of violations.

