
A BILL FOR AN ACT

RELATING TO DOMESTIC VIOLENCE.

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

- 1 SECTION 1. Chapter 521, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:
- 4 "§521- Termination of tenancy; domestic violence. (a)
5 Notwithstanding any statutory provision to the contrary, a
6 tenant may notify the landlord that the tenant or a household
7 member was the victim of an act that constitutes an act of abuse
8 of a family or household member, in violation of section 709-
9 906; sexual assault, in violation of section 707-730, 707-731,
10 707-732, 707-733, or 707-733.6; or harassment by stalking, in
11 violation of section 711-1106.4 or 711-1106.5, and that the
12 tenant intends to terminate the rental agreement.
- 13 (b) A notice to terminate a rental agreement under this
14 section shall be in writing, with one of the following attached
15 to the notice:
- 16 (1) A copy of a temporary restraining order or protective
17 order, issued pursuant to chapter 586; or



1 (2) A copy of a written report by a law enforcement
2 officer employed by a state or county law enforcement
3 agency acting in the officer's official capacity,
4 stating that the tenant or household member has filed
5 a report alleging that the tenant or the household
6 member is a victim of abuse of family or household
7 member, sexual assault, or harassment by stalking.

8 (c) The notice to terminate the rental agreement shall be
9 given within sixty days of the date that any order described in
10 subsection (b)(1) was issued; or within sixty days of the date
11 that any written report described in subsection (b)(2) was made.

12 (d) If notice to terminate the tenancy is provided to the
13 landlord under this section, the tenant shall be responsible for
14 payment of rent for thirty days following the giving of the
15 notice, and thereafter shall be released from any rent payment
16 obligation under the rental agreement without penalty. Section
17 521-44, regarding security deposits, shall apply.

18 (e) If within thirty days following the giving of the
19 notice under this section, the tenant quits the premises and the
20 premises are rented to another party, the rent due on the
21 premises for the thirty-day period specified in subsection (d)



1 shall be prorated. Section 521-44, regarding security deposits,
2 shall apply.

3 (f) Nothing in this section relieves a tenant, other than
4 the tenant who is, or the household member who is, a victim of
5 abuse of a family or household member, sexual assault, or
6 harassment by stalking and members of that tenant's household,
7 from their obligations under the rental agreement.

8 (g) As used in this section, "household member" has the
9 same meaning as and includes any family or household member as
10 that term is defined in section 586-1."

11 SECTION 2. New statutory material is underscored.

12 SECTION 3. This Act shall take effect upon its approval.

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Report Title:

Landlord-Tenant; Domestic Violence Victims; Cancellation of Lease

Description:

Allows a tenant who is a victim of domestic violence, sexual abuse, or harassment by stalking to terminate his or her rental agreement.

