
A BILL FOR AN ACT

RELATING TO TIME SHARE PLANS.

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

1 SECTION 1. Section 514E-5, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "**§514E-5 Geographic limitations.** Except as provided in
4 this section, time share units, time share plans, and transient
5 vacation rentals are prohibited.

6 (1) Existing time share units, time share plans, and
7 transient vacation rentals are not impaired by the
8 provisions of this section.

9 (2) Time share units, time share plans, and transient
10 vacation rentals are allowed:

11 (A) In areas designated for hotel use, resort use, or
12 transient vacation rentals, pursuant to county
13 authority under section 46-4, or where the
14 county, by its legislative process, designates
15 hotel, transient vacation rental, or resort use;
16 or

17 (B) In a hotel where the county explicitly approves
18 ~~[such use,]~~ time share units, time share plans,



1 or transient vacation rentals, in advance, as a
 2 nonconforming use [~~; or~~
 3 (C) ~~In a county with a population in excess of five~~
 4 ~~hundred thousand, in an existing hotel which is a~~
 5 ~~valid nonconforming use under county ordinance;~~
 6 ~~provided that the property shall have at least~~
 7 ~~sixty units and at least forty per cent of the~~
 8 ~~units, upon completion of sales of the time share~~
 9 ~~intervals in the project, shall be made available~~
 10 ~~for sale as residential apartments or rented as~~
 11 ~~residential apartments]."~~

12 SECTION 2. This Act does not affect rights and duties that
 13 matured, penalties that were incurred, and proceedings that were
 14 begun, before its effective date.

15 SECTION 3. Statutory material to be repealed is bracketed
 16 and stricken. New statutory material is underscored.

17 SECTION 4. This Act shall take effect upon its approval.

18

INTRODUCED BY:



JAN 28 2009



1623

Report Title:

Time Share Plans; Geographic Limitations

Description:

Repeals the exception that allowed time share plans, time share units, or transient vacation rentals in any county with a population in excess of 500,000, in an existing hotel which is a nonconforming use under county ordinance.

