
A BILL FOR AN ACT

RELATING TO PLANNED COMMUNITY ASSOCIATIONS.

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

1 SECTION 1. The legislature finds that technological
2 advances now allow anyone to easily video record public
3 meetings. Since this technology is widely available, the
4 legislature finds that members of planned community associations
5 that are registered with the State should be permitted to video
6 record association meetings so that these recordings may be made
7 available to other members who are unable to attend.

8 The purpose of this Act is to permit the video recording of
9 planned community association meetings.

10 SECTION 2. Section 421J-5, Hawaii Revised Statutes, is
11 amended to read as follows:

12 "**§421J-5 Meetings of the board of directors; committee or**
13 **subcommittee.** (a) All meetings of the board of directors,
14 other than executive sessions, shall be open to all members to
15 provide input on the matters being discussed. Members who are
16 not on the board of directors may participate in any
17 deliberation or discussion, other than during executive



1 sessions, unless a majority of a quorum of the board of
2 directors votes otherwise.

3 (b) The board of directors shall meet at least once each
4 year.

5 (c) The board of directors, with the approval of a
6 majority of a quorum of its members, may adjourn any meeting and
7 reconvene in executive session to discuss and vote upon matters
8 concerning personnel, litigation in which the association is or
9 may become involved, or as may be necessary to protect the
10 attorney-client privilege of the association. The general
11 nature of any business to be considered in executive session
12 shall be first announced in the regular session.

13 (d) No board member shall vote by proxy at board meetings.

14 (e) A director who has a conflict of interest on any issue
15 before the board shall disclose the nature of the conflict of
16 interest prior to a vote on that issue at the board meeting, and
17 the minutes of the meeting shall record the fact that a
18 disclosure was made.

19 (f) The board may appoint committees or subcommittees to
20 review and consider any specific matters, and may alter or
21 eliminate the committees or subcommittees; provided that the



1 board in the minutes of the meeting at which the action was
2 taken to appoint the committee or subcommittee shall:

- 3 (1) Report that the committee or subcommittee was
4 appointed;
- 5 (2) Identify the members of the committee or subcommittee;
6 and
- 7 (3) Describe the matter that the committee or subcommittee
8 is to review and consider.

9 (g) Minutes of the meetings of the board of directors
10 shall include the recorded vote of each board member present on
11 all motions except motions voted upon in executive session.

12 (h) Association members may record meetings of the
13 association or the board of directors, other than executive
14 sessions, by video or other electronic means; provided that:

- 15 (1) Association bylaws do not prohibit the recording of
16 meetings;
- 17 (2) The board of directors is notified of a member's
18 intent to record the meeting prior to the commencement
19 of recording; and
- 20 (3) The recording is made for the private personal use of
21 the member making the recording or another association
22 member."



H.B. NO. 2110

1 SECTION 3. New statutory material is underscored.

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

3

INTRODUCED BY: Cindy Evans

JAN 19 2010



Report Title:

Planned Community Associations

Description:

Permits members of planned community associations to make electronic recordings of association meetings for personal use.

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

