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# A BILL FOR AN ACT

RELATING TO SMOKING IN CONDOMINIUMS.

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

1           SECTION 1. Chapter 514B, Hawaii Revised Statutes, is  
2 amended by adding a new section to part VI to be appropriately  
3 designated and to read as follows:

4           "§514B-           Adoption of rules; prohibition of smoking.

5 Unless otherwise prohibited by the articles of incorporation or  
6 bylaws, an association shall adopt bylaws or rules to prohibit  
7 unit owners, guests, and all other persons from smoking in all  
8 common elements and limited common elements that are covered;  
9 provided that any bylaws or rules so adopted shall also  
10 designate a covered and accessible smoking area.

11           As used in this section, the term "covered" means closed in  
12 by a roof or overhang and may include areas commonly described  
13 as public lobbies, lanais, interior courtyards, patios, and  
14 covered walkways."

15           SECTION 2. New statutory material is underscored.

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



**Report Title:**

Smoking; Condominiums; Common and Limited Common Elements

**Description:**

Requires an association, if not prohibited by bylaws or articles of incorporation, to prohibit smoking in common elements and covered limited common elements, while designating a covered and accessible smoking area. (HB1494 HD1)

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

