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## HOUSE RESOLUTION

URGING PLANNED COMMUNITY ASSOCIATIONS TO ALLOW ASSOCIATION MEMBERS OR BONA FIDE TENANTS OF ASSOCIATION MEMBERS TO DISPLAY A UNITED STATES OR STATE OF HAWAII FLAG MOUNTED ON A RESIDENTIAL DWELLING THAT THE MEMBER OWNS OR HAS RENTED TO A BONA FIDE TENANT; PROVIDED THAT THE FLAG SHAFT DOES NOT EXCEED SIX FEET IN LENGTH AND THE FLAG DOES NOT EXCEED THREE FEET BY FIVE FEET IN SIZE.

1           WHEREAS, there has been on-going dispute in planned  
2 community associations between members and association boards  
3 regarding the right of members to display the United States flag  
4 and the flag of the State of Hawaii; and

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6           WHEREAS, there has been public outcry from members of  
7 planned community associations who wish to display these flags  
8 but have been thwarted by association boards through denials,  
9 fines, and the imposition of large fees; and

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11           WHEREAS, all Americans should have the right to display the  
12 United States and State of Hawaii flags on their properties;  
13 now, therefore,

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15           BE IT RESOLVED by the House of Representatives of the  
16 Twenty-sixth Legislature of the State of Hawaii, Regular Session  
17 of 2011, that this body urges planned community associations to  
18 allow all association members and bona fide tenants of  
19 association members to display United States and State of Hawaii  
20 flags mounted on a residential dwelling that the member owns or  
21 has rented to a bona fide tenant; provided that the flag shaft  
22 does not exceed six feet in length and the flag does not exceed  
23 three feet by five feet in size; and

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25           BE IT FURTHER RESOLVED that planned community associations,  
26 or their respective board of directors, are urged to refrain  
27 from assessing or charging an association member or bona fide



1 tenant of a member any fee or fine, or impose on a member any  
2 penalty, for the display of flags as provided in this  
3 resolution; and  
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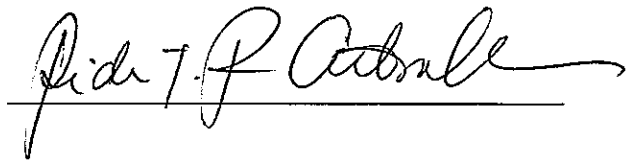
5 BE IT FURTHER RESOLVED that flags displayed pursuant to  
6 this resolution should be displayed in a prominent position on  
7 the residential dwelling; provided that:  
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9 (1) United States flags should be displayed in accordance  
10 with the provisions of Title 4, United States Code,  
11 Chapter 1; and  
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13 (2) State of Hawaii flags should be displayed in  
14 accordance with section 5-19, Hawaii Revised Statutes;  
15 and  
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17 BE IT FURTHER RESOLVED that certified copies of this  
18 Resolution be transmitted to the Governor and to Hawaii First -  
19 Community Association Management.  
20  
21  
22

OFFERED BY:



MAR 15 2011

