
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:

7 (1) May adopt bylaws or rules to prohibit unit owners,
8 guests, and all other persons from smoking within
9 dwelling units in the condominium; and

10 (2) Shall adopt bylaws or rules to prohibit unit owners,
11 guests, and all other persons from smoking in all:

12 (A) Common elements; and

13 (B) Limited common elements that are covered.

14 For the purposes of this section, the term "covered" means
15 closed in by a roof or overhang and may include areas commonly
16 described as public lobbies, lanais, interior courtyards,
17 patios, and covered walkways."

18 SECTION 2. New statutory material is underscored.



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

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Report Title:

Smoking; Condominiums; Common and Limited Common Elements

Description:

Allows a condominium association, if not prohibited by its articles of incorporation or bylaws, to prohibit smoking within a condominium unit. Requires an association to prohibit smoking in common elements and covered limited common elements.

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

