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# HOUSE CONCURRENT 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, the Senate concurring, that the Legislature urges  
18 planned community associations to allow all association members  
19 and bona fide tenants of association members to display United  
20 States and State of Hawaii flags mounted on a residential  
21 dwelling that the member owns or has rented to a bona fide  
22 tenant; provided that the flag shaft does not exceed six feet in  
23 length and the flag does not exceed three feet by five feet in  
24 size; and  
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# H.C.R. NO. 153

1 BE IT FURTHER RESOLVED that planned community associations,  
2 or their respective board of directors, are urged to refrain  
3 from assessing or charging an association member or bona fide  
4 tenant of a member any fee or fine, or impose on a member any  
5 penalty, for the display of flags as provided in this  
6 resolution; and  
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8 BE IT FURTHER RESOLVED that flags displayed pursuant to  
9 this resolution should be displayed in a prominent position on  
10 the residential dwelling; provided that:

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12 (1) United States flags should be displayed in accordance  
13 with the provisions of Title 4, United States Code,  
14 Chapter 1; and  
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16 (2) State of Hawaii flags should be displayed in  
17 accordance with section 5-19, Hawaii Revised Statutes;  
18 and  
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20 BE IT FURTHER RESOLVED that certified copies of this  
21 Concurrent Resolution be transmitted to the Governor and to  
22 Hawaii First - Community Association Management.  
23  
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OFFERED BY:

*Rick F. Aulomika*

MAR 15 2011

