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# A BILL FOR AN ACT

RELATING TO PLANNED COMMUNITY ASSOCIATIONS.

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

1           SECTION 1. Chapter 421J, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:

4           "§421J-       Errors in proxy voting. (a) Notwithstanding  
5 any provision to the contrary, if, following a vote by the  
6 association, an error is discovered in any proxy given in  
7 relation to that vote, the board, within forty-five days of the  
8 discovery of the error, shall:

9           (1) Institute an adequate remedy; or

10          (2) Hold another vote to decide the issue on the original  
11             ballot.

12          If no remedy or subsequent vote on the issue is instituted  
13 within forty-five days of the discovery of the error, the  
14 results of the vote shall be invalid.

15          (b) If an error in any proxy is discovered more than one  
16 hundred twenty days after the date of a vote, the results of  
17 that vote shall stand."



# H.B. NO. 2158

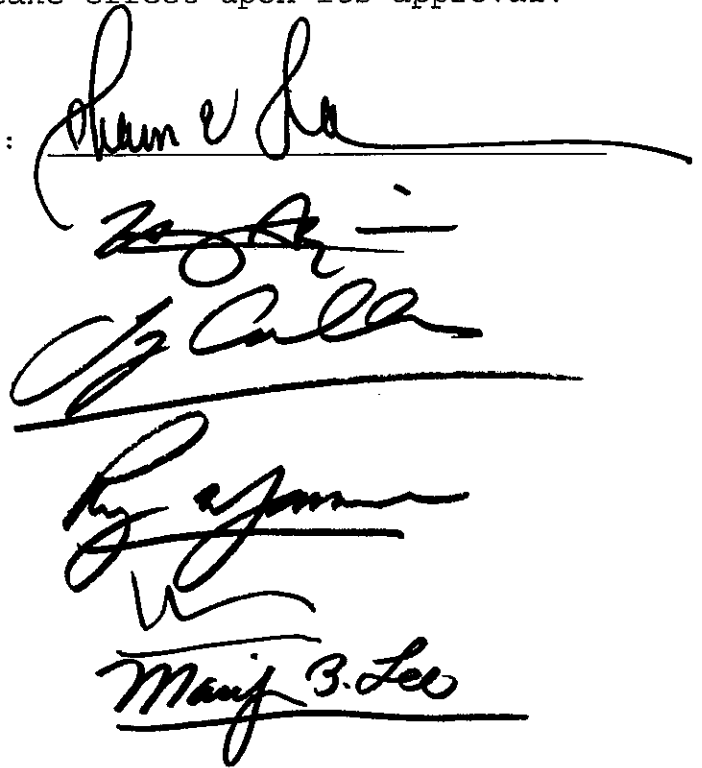
1 SECTION 2. This Act does not affect rights and duties that  
2 matured, penalties that were incurred, and proceedings that were  
3 begun before its effective date.

4 SECTION 3. New statutory material is underscored.

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

6

INTRODUCED BY:



JAN 20 2012



# H.B. NO. 2158

**Report Title:**

Planned Community Associations; Proxy; Errors

**Description:**

Provides for remedies in the event of the discovery of an error in any proxy.

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

