

JAN 21 2011

A BILL FOR AN ACT

RELATING TO TIME SHARE PLANS.

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

1 SECTION 1. The legislature finds that there is a growing
2 problem with the intrusion of time share projects and fractional
3 ownership of residential units in single family and multi-family
4 residential zones. Time shares and fractional ownership in
5 residential neighborhoods cause increased traffic, off-street
6 parking demands, noise, and other negative effects and alter the
7 character of neighborhoods. Time share projects and fractional
8 ownerships also have the deleterious effect of increasing the
9 market prices of residential units artificially, thereby
10 negatively impacting longtime residents by increasing real
11 property tax assessments.

12 The purpose of this Act is to restrict time share and
13 fractional ownership of residential real property.

14 SECTION 2. Chapter 46, Hawaii Revised Statutes, is amended
15 by adding a new section to be appropriately designated and to
16 read as follows:

17 "§46- Limitations on time share units and fractional
18 ownership. (a) Each county shall adopt ordinances prohibiting



1 time share units or fractional ownership of single family,
2 duplex, or multi-family residential units in zones other than
3 those that permit hotel and resort uses.

4 (b) For purposes of this section:

5 "Fractional ownership" means the ownership of a fee or
6 leasehold interest in a single family, duplex, or multi-family
7 residential unit by three or more persons who are not related by
8 blood, marriage, or legal adoption."

9 "Time share unit" has the same meaning as in section
10 514E-1."

11 SECTION 3. New statutory material is underscored.

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

13

INTRODUCED BY: _____

Jill BL



Report Title:

Residential Real Property; Time Share and Fractional Ownership;
Counties

Description:

Directs the counties to enact ordinances to prohibit time shares and fractional ownership of residential real property other than in zones that permit hotel or resort use.

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