

---

---

# A BILL FOR AN ACT

RELATING TO THE RESIDENTIAL LANDLORD-TENANT CODE.

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

1           SECTION 1. Chapter 521, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:

4           "§521-       Medical marijuana; tenant use; eviction. A  
5 provision in a rental agreement allowing for eviction of a  
6 tenant who has a valid certificate for the medical use of  
7 marijuana as provided in section 329-123 in any form is void,  
8 unless the rental agreement allows for eviction for smoking  
9 tobacco and the medical marijuana is used by means of smoking;  
10 provided that this section shall not apply where the articles of  
11 incorporation, declaration, bylaws, administrative rules, house  
12 rules, association documents, or a similar document of a  
13 condominium property regime or planned community association  
14 prohibits the medical use of marijuana."

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

18



- 1 SECTION 3. New statutory material is underscored.
- 2 SECTION 4. This Act shall take effect on November 1, 2014.



**Report Title:**

Residential Landlord-Tenant Code; Medical Marijuana; Eviction;  
Rental Agreement; Voided Provisions

**Description:**

Voids any rental agreement provision that allows for eviction of a tenant who has a valid certificate for the medical use of marijuana unless: (1) the rental agreement allows for eviction for smoking tobacco and the medical marijuana is smoked; or (2) the documents of a condominium property regime or planned community association prohibit the medical use of marijuana. Effective 11/01/2014. (SD1)

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

