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# A BILL FOR AN ACT

RELATING TO ENERGY STAR PRODUCTS.

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

1           SECTION 1. The legislature finds that due to the  
2 increasing costs of utilities, it is vital for the State and its  
3 citizens to invest in energy saving technology. Therefore, it  
4 is counterproductive to deny people the right to invest in  
5 energy saving products.

6           The legislature further finds that "cool roofing"  
7 technology has been recognized as one of the easiest and most  
8 cost-effective ways of lowering energy consumption. Forty per  
9 cent solar reflectivity is achieved through the color of the  
10 shingles, which is a mixture of both green and white.

11           Despite the benefits that may result from acquiring ENERGY  
12 STAR products, certain private entities deny citizens the right  
13 to invest in these products because the entities object to the  
14 color of the products.

15           The purpose of this Act is to ensure that no person shall  
16 be denied the right of purchasing and installing ENERGY STAR  
17 products on and within their home.



1 SECTION 2. Chapter 196, Hawaii Revised Statutes, is  
2 amended by adding a new section to part I to be appropriately  
3 designated and to read as follows:

4 "§196- ENERGY STAR products. (a) Notwithstanding any  
5 law to the contrary, no person shall be prevented by any  
6 covenant, declaration, bylaws, restriction, deed, lease, term,  
7 provision, condition, codicil, contract, or similar binding  
8 agreement, however worded, from purchasing and installing ENERGY  
9 STAR products on and within any single-family residential  
10 dwelling or townhouse that the person owns. Any provision in  
11 any lease, instrument, or contract contrary to the intent of  
12 this section shall be void and unenforceable.

13 (b) A private entity may adopt standards that reasonably  
14 restrict the placement and use of ENERGY STAR products on and  
15 within the premises of any single-family residential dwelling or  
16 townhouse; provided that those restrictions do not prohibit the  
17 use of ENERGY STAR products altogether. No private entity shall  
18 assess or charge any homeowner any fees for the use of ENERGY  
19 STAR products.

20 (c) For the purposes of this section:

21 "Private entity" means any association of homeowners,  
22 community association, condominium association, cooperative, or



1 any other nongovernmental entity with covenants, bylaws, and  
2 administrative provisions with which the homeowner's compliance  
3 is required."

4 SECTION 3. New statutory material is underscored.

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



**Report Title:**

ENERGY STAR Products; Energy Efficiency

**Description:**

Prohibits entities such as homeowners associations from denying a person the right to purchase and install ENERGY STAR products on or within a single family residential dwelling or townhouse the person owns. (HB2029 HD1)

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

