

JAN 23 2014

A BILL FOR AN ACT

RELATING TO TIME SHARES.

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

1 SECTION 1. Section 205A-28, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "**§205A-28 Permit required for development.** (a) No
4 development shall be allowed in any county within the special
5 management area without obtaining a permit in accordance with
6 this part.

7 (b) No development of units with a time share interest or
8 pursuant to a time share plan, as those terms are defined in
9 section 514E-1, shall be allowed in any county within the
10 special management area."

11 SECTION 2. Section 514E-5, Hawaii Revised Statutes, is
12 amended to read as follows:

13 "**§514E-5 Geographic limitations.** (a) Except as provided
14 in this [~~section,~~] subsection, time share units, time share
15 plans, and transient vacation rentals are prohibited.

16 (1) Existing time share units, time share plans, and
17 transient vacation rentals are not impaired by the
18 provisions of this section.



1 (2) Time share units, time share plans, and transient
2 vacation rentals are allowed:

3 (A) In areas designated for hotel use, resort use, or
4 transient vacation rentals, pursuant to county
5 authority under section 46-4, or where the
6 county, by its legislative process, designates
7 hotel, transient vacation rental, or resort use;

8 (B) In a hotel where the county explicitly approves
9 such use, in advance, as a nonconforming use; or

10 (C) In a county with a population in excess of five
11 hundred thousand, in an existing hotel which is a
12 valid nonconforming use under county ordinance.

13 (b) No development of time share units or units pursuant
14 to a time share plan shall be allowed in any county within the
15 special management area.

16 For purposes of this subsection, "development" and "special
17 management area" shall have the same meanings as in section
18 205A-22."

19 SECTION 3. Statutory material to be repealed is bracketed
20 and stricken. New statutory material is underscored.

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

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S.B. NO. 2952

Report Title:

Time Shares; Special Management Areas

Description:

Prohibits development of time shares in special management areas.

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