

JAN 23 2014

A BILL FOR AN ACT

RELATING TO CONDOMINIUMS.

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

1 SECTION 1. Section 514B-143, Hawaii Revised Statutes, is
2 amended by amending subsection (d) to read as follows:

3 "(d) The board, in the case of a claim for damage to a
4 unit or the common elements, may:

5 (1) Pay the deductible amount as a common expense;

6 (2) After notice and an opportunity for a hearing, assess
7 the deductible amount against the owners who caused
8 the damage or from whose units the damage or cause of
9 loss originated; or

10 (3) Require the [~~unit~~] owners of the units affected to pay
11 the deductible amount[-]; provided that the affected
12 unit owners shall not be required to pay the
13 deductible for a claim for damage to common elements
14 if the owners did not cause the damage or the damage
15 or cause of loss did not originate from the owner's
16 unit."

17 SECTION 2. This Act shall apply to any damage to common
18 elements occurring from the effective date of this Act.



S.B. NO. 2979

1 SECTION 3. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 4. This Act shall take effect on July 1, 2014.

4

INTRODUCED BY: David J. Lee



S.B. NO. 2979

Report Title:

Condominiums; Common Elements Damage; Deductible

Description:

Repeals the authority of a condominium board to require owners to pay the insurance deductible for damage to common elements affecting their units if the damage was not caused by them or did not originate from their units.

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