

JAN 24 2013

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# A BILL FOR AN ACT

RELATING TO ENERGY.

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

1           SECTION 1. Chapter 666, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:  
4           "§666-       Energy cost information; commercial leases; real  
5 property. (a) Beginning January 1, 2014, a landlord or lessor  
6 of commercial real property, or any person authorized to enter  
7 into a rental agreement on behalf of a landlord or lessor of  
8 commercial real property, before execution of the agreement,  
9 shall disclose in writing to a prospective tenant or lessee the  
10 energy costs, including electricity costs and gas costs, as  
11 applicable, for:  
12           (1) The common areas;  
13           (2) The air conditioning; and  
14           (3) The property as a whole,  
15 by month for the previous calendar year; provided that the  
16 landlord or lessor, where cost information is not available for  
17 the previous calendar year, may provide cost information for the



1 most recent twelve-month period for which information is  
2 available.

3 (b) In the event of an oral rental agreement, this  
4 disclosure shall be made orally at or before commencement of the  
5 rental agreement.

6 (c) The disclosure requirement shall apply irrespective of  
7 whether energy costs are passed on to the lessee or paid by the  
8 landlord or lessor.

9 (d) If a landlord or lessor fails to provide the energy  
10 cost disclosure in accordance with this section, the lessee may  
11 elect to terminate the rental agreement at any time without  
12 liability for any penalties or fees or grounds for a cause of  
13 action for breach of contract."

14 SECTION 2. New statutory material is underscored.

15 SECTION 3. This Act shall take effect upon its approval.

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INTRODUCED BY:

*Ante Holland*

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*Sen. AC. ...*

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*...*  
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**Report Title:**

Commercial Leases; Energy Costs Disclosure

**Description:**

Requires the landlord or lessor of a commercial property to provide written disclosure of energy costs to a prospective lessee before execution of the rental agreement. Requires oral disclosure of energy costs to a prospective lessee for an oral lease agreement at or before commencement of the tenancy. Allows a lessee to terminate the rental agreement, without liability, if the landlord or lessor fails to disclose energy costs.

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

