
A BILL FOR AN ACT

RELATING TO CONDOMINIUMS.

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

1 SECTION 1. Section 514A-83.3, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "**§514A-83.3 Membership list.** The resident manager [~~or~~],
4 managing agent, or board of directors shall keep an accurate and
5 current list of members of the association of apartment owners and
6 their current addresses and email addresses and the names and
7 addresses of the vendees under an agreement of sale, if any. The
8 list shall be maintained at a place designated by the board of
9 directors and a copy shall be available, at cost, to any member of
10 the association as provided in the declaration or bylaws or rules
11 and regulations or, in any case, to any member who furnishes to
12 the resident manager or managing agent or board of directors a
13 duly executed and acknowledged affidavit stating that the list:

14 (1) Shall be used by such owner personally and only for
15 the purpose of soliciting votes or proxies or
16 providing information to other owners with respect to
17 association matters[~~7~~]; and



1 (2) Shall not be used by such owner or furnished to anyone
2 else for any other purpose.

3 No board of directors shall adopt any rule prohibiting the
4 solicitation of proxies or distribution of materials relating to
5 association matters on the common elements by apartment owners;
6 provided that a board of directors may adopt rules regulating
7 reasonable time, place, and manner of such solicitations or
8 distributions, or both. A board of directors may prohibit
9 commercial solicitations."

10 SECTION 2. Section 514B-153, Hawaii Revised Statutes, is
11 amended by amending subsection (e) to read as follows:

12 "(e) The managing agent, resident manager, or board shall
13 keep an accurate and current list of members of the association
14 and their current addresses[7] and email addresses and the names
15 and addresses of the vendees under an agreement of sale, if any.
16 The list shall be maintained at a place designated by the board,
17 and a copy shall be available, at cost, to any member of the
18 association as provided in the declaration or bylaws or rules
19 and regulations or, in any case, to any member who furnishes to
20 the managing agent or resident manager or the board a duly
21 executed and acknowledged affidavit stating that the list:



1 (1) Will be used by the owner personally and only for the
 2 purpose of soliciting votes or proxies or providing
 3 information to other owners with respect to
 4 association matters; and

5 (2) Shall not be used by the owner or furnished to anyone
 6 else for any other purpose.

7 A board may prohibit commercial solicitations.

8 Where the condominium project or any units within the
 9 project are subject to a time share plan under chapter 514E, the
 10 association shall only be required to maintain in its records
 11 the name and address of the time share association as the
 12 representative agent for the individual time share owners unless
 13 the association receives a request by a time share owner to
 14 maintain in its records the name and address of the time share
 15 owner."

16 SECTION 3. Statutory material to be repealed is bracketed
 17 and stricken. New statutory material is underscored.

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

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[Handwritten signature] INTRODUCED BY: Tom Brown

[Handwritten signatures: K. L. B. Kopas, Cynthia Thier, Della A. Rosti]

[Handwritten signature: Karl N. ...]

[Handwritten signatures: Richard ...]
[Handwritten signature: Cindy Evans]

A handwritten signature in black ink, appearing to read "J. M. ...".

JAN 23 2015



H.B. NO. 515

Report Title:

Condominium; Notice

Description:

Requires resident managers, managing agents, and condominium association boards to keep a record of the email addresses of condominium association members.

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

