

JAN 28 2015

A BILL FOR AN ACT

RELATING TO AGRICULTURAL LAND.

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

1 SECTION 1. Section 514B-31, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "[~~§~~514B-31~~]~~ **Creation.** (a) To create a condominium
4 property regime, all of the owners of the fee simple interest in
5 land shall execute and record a declaration submitting the land
6 to the condominium property regime. Upon recordation of the
7 master deed together with a declaration, the condominium
8 property regime shall be deemed created~~[-]~~; provided that:

9 (1) No condominium property regime shall be created on any
10 parcel of agricultural land consisting of twenty-five
11 or more acres; and

12 (2) No parcel of agricultural land consisting of twenty-
13 five or more acres shall be subdivided for the purpose
14 of creating a condominium property regime.

15 (b) The condominium property regime shall be subject to
16 any right, title, or interest existing when the declaration is
17 recorded if the person who owns the right, title, or interest
18 does not execute or join in the declaration or otherwise



1 subordinate the right, title, or interest. A person with any
2 other right, title, or interest in the land may subordinate that
3 person's interest to the condominium property regime by
4 executing the declaration, or by executing and recording a
5 document joining in or subordinating to the declaration."

6 SECTION 2. Statutory material to be repealed is bracketed
7 and stricken. New statutory material is underscored.

8 SECTION 3. This Act shall take effect upon its approval.
9

INTRODUCED BY:

Gavin Thul
Paul E. Pde
Mitch
Ed Davis
Erzanne Ann Clark



S.B. NO. 1163

Report Title:

Condominium Property Regime; Agricultural Land

Description:

Prohibits the creation of a condominium property regime on agricultural land 25 acres or greater. Prohibits the subdivision of agricultural land 25 acres or greater for the purpose of creating a condominium property regime.

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