



EXECUTIVE CHAMBERS  
HONOLULU

DAVID Y. IGE  
GOVERNOR

July 11, 2017

**GOV. MSG. NO. 1304**

The Honorable Ronald D. Kouchi,  
President  
and Members of the Senate  
Twenty-Ninth State Legislature  
State Capitol, Room 409  
Honolulu, Hawai'i 96813

The Honorable Scott K. Saiki,  
Speaker and Members of the  
House of Representatives  
Twenty-Ninth State Legislature  
State Capitol, Room 431  
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

This is to inform you that on July 11, 2017, the following bill was signed into law:

SB369 SD1 HD1 CD1

RELATING TO CONDOMINIUMS  
**ACT 190 (17)**

Sincerely,

DAVID Y. IGE  
Governor, State of Hawai'i

JUL 11 2017

# A BILL FOR AN ACT

RELATING TO CONDOMINIUMS.

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

1 SECTION 1. Chapter 514B, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:

4 "§514B- Retaliation prohibited. (a) An association,  
5 board, managing agent, resident manager, unit owner, or any  
6 person acting on behalf of an association or a unit owner shall  
7 not retaliate against a unit owner, board member, managing  
8 agent, resident manager, or association employee who, through a  
9 lawful action done in an effort to address, prevent, or stop a  
10 violation of this chapter or governing documents of the  
11 association:

12 (1) Complains or otherwise reports an alleged violation;  
13 (2) Causes a complaint or report of an alleged violation  
14 to be filed with the association, the commission, or  
15 other appropriate entity;

16 (3) Participates in or cooperates with an investigation of  
17 a complaint or report filed with the association, the  
18 commission, or other appropriate entity;



1        (4) Otherwise acts in furtherance of a complaint, report,  
2                    or investigation concerning an alleged violation; or

3        (5) Exercises or attempts to exercise any right under this  
4                    chapter or the governing documents of the association.

5        (b) A unit owner, board member, managing agent, resident  
6 manager, or association employee may bring a civil action in  
7 district court alleging a violation of this section. The court  
8 may issue an injunction or award damages, court costs,  
9 attorneys' fees, or any other relief the court deems  
10 appropriate.

11        (c) As used in this section:

12        "Governing documents" means an association's declaration,  
13 bylaws, or house rules; or any other document that sets forth  
14 the rights and responsibilities of the association, its board,  
15 its managing agent, or the unit owners.

16        "Retaliate" means to take any action that is not made in  
17 good faith and is unsupported by the association's governing  
18 documents or applicable law and that is intended to, or has the  
19 effect of, being prejudicial in the exercise or enjoyment of any  
20 person's substantial rights under this chapter or the  
21 association's governing documents."



1 SECTION 2. New statutory material is underscored.

2 SECTION 3. This Act shall take effect on July 1, 2017.

3

APPROVED this 11 day of JUL , 2017





GOVERNOR OF THE STATE OF HAWAII

**THE SENATE OF THE STATE OF HAWAII**

Date: May 2, 2017  
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the  
Senate of the Twenty-ninth Legislature of the State of Hawaii, Regular Session of 2017.

  
President of the Senate

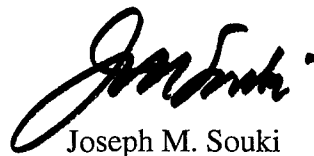
  
Clerk of the Senate

SB No. 369, SD 1, HD 1, CD 1

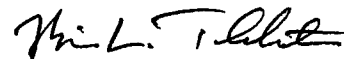
THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: May 2, 2017  
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Twenty-Ninth Legislature of the State of Hawaii, Regular Session of 2017.



Joseph M. Souki  
Speaker  
House of Representatives



Brian L. Takeshita  
Chief Clerk  
House of Representatives