



EXECUTIVE CHAMBERS
HONOLULU

DAVID Y. IGE
GOVERNOR

September 15, 2020

GOV. MSG. NO. 1161

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

The Honorable Scott K. Saiki,
Speaker and Members of the
House of Representatives
Thirtieth 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 September 15, 2020, the following bill was signed into law:

SB2421 SD1 HD1

RELATING TO CONDOMINIUM ASSOCIATIONS.
Act 056 (20)

Sincerely,

DAVID Y. IGE
Governor, State of Hawai'i

Approved by the Governor

on SEP 15 2020

THE SENATE
THIRTIETH LEGISLATURE, 2020
STATE OF HAWAII

ACT 056

S.B. NO. 2421
S.D. 1
H.D. 1

A BILL FOR AN ACT

RELATING TO CONDOMINIUM ASSOCIATIONS.

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

1 SECTION 1. The legislature finds that Act 195, Session
2 Laws of Hawaii 2018 ("Act 195") created important and effective
3 rules relating to association foreclosures on condominiums. The
4 stated goals of Act 195 were to:

- 5 (1) Clarify that an association does not have to rescind
6 the notice of default and intention to foreclose or
7 restart the foreclosure by filing a new notice of
8 default and intent to foreclose if a unit owner
9 defaults on a payment plan to cure a nonjudicial
10 foreclosure agreed to by the parties;
- 11 (2) Specify that if a unit owner and an association have
12 agreed on a payment plan to prevent a nonjudicial
13 foreclosure from proceeding, any association fines
14 imposed while the payment plan is in effect shall not
15 be deemed a default under the payment plan;



- 1 (3) Clarify the obligations of a unit owner and an
2 association while a unit owner is not otherwise in
3 default under a payment plan;
- 4 (4) Clarify that the pay first, dispute later provisions
5 in Hawaii's condominium law apply only to common
6 expense assessments claimed by an association;
- 7 (5) Specify that a unit owner who disputes the amount of
8 an assessment may request a written statement about
9 the assessment from the association, including that a
10 unit owner may demand mediation prior to paying
11 contested charges, other than common expense
12 assessments; and
- 13 (6) Specify requirements for mediation on contested
14 charges, except for common expense assessments.

15 The legislature further finds that the amendments to the
16 Hawaii Revised Statutes made by Act 195 successfully effectuated
17 its purpose and should remain permanent.

18 The purpose of this Act is to repeal the sunset date of Act
19 195, Session Laws of Hawaii 2018, so the statutory amendments
20 remain permanent.



1 SECTION 2. Act 195, Session Laws of Hawaii 2018, is
2 amended by amending section 6 to read as follows:

3 "SECTION 6. This Act shall take effect on July 1, 2018[
4 ~~and shall be repealed on June 30, 2020; provided that sections~~
5 ~~514B-105, 514B-146, and 667-94, Hawaii Revised Statutes, shall~~
6 ~~be reenacted in the form in which they read on the day before~~
7 ~~the effective date of this Act]."~~

8 SECTION 3. Statutory material to be repealed is bracketed
9 and stricken.

10 SECTION 4. This Act, upon its approval, shall take effect
11 retroactive to June 29, 2020.

APPROVED this **15** day of **SEP**, 2020

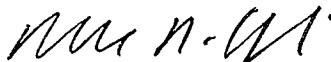



GOVERNOR OF THE STATE OF HAWAII

THE SENATE OF THE STATE OF HAWAI'I

Date: July 10, 2020
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the Senate of the Thirtieth Legislature of the State of Hawai'i, Regular Session of 2020.

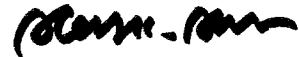

President of the Senate


Clerk of the Senate

THE HOUSE OF REPRESENTATIVES OF THE
STATE OF HAWAII

Date: July 6, 2020
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Third Reading in the House of Representatives of the Thirtieth Legislature of the State of Hawaii, Regular Session of 2020.



Scott K. Saiki
Speaker
House of Representatives



Brian L. Takeshita
Chief Clerk
House of Representatives