
A BILL FOR AN ACT

RELATING TO COMMON INTEREST COMMUNITIES.

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

1 SECTION 1. Chapter 421J, Hawaii Revised Statutes, is
2 amended by adding two new sections to be appropriately
3 designated and to read as follows:

4 "§421J- Board; resignation. A member of the board of
5 directors may resign from the board at any time by:

6 (1) Delivering written notice of resignation to the
7 association's property manager, board of directors,
8 president, or secretary;

9 (2) Communicating the notice of resignation by electronic
10 mail to the association's property manager, board of
11 directors, president, or secretary at the electronic
12 mailing address designated in writing by the person
13 receiving the electronic mail; or

14 (3) Providing notice during a meeting orally or in
15 writing.

16 A resignation is effective when the notice is received, unless
17 the notice specifies a later effective date. If a resignation



1 is made effective at a later date, the board may fill the
2 pending vacancy before the effective date if the board provides
3 that the successor does not take office until the effective
4 date.

5 §421J- Board; vacancies. Notwithstanding any provision
6 in any association documents to the contrary, the board may only
7 fill vacancies in its membership to serve until the next annual
8 association meeting or duly noticed special association meeting.
9 Notice of a special association meeting to fill vacancies shall
10 include notice of the election. Any special association meeting
11 to fill vacancies shall be held on a date that allows sufficient
12 time for owners to declare their intentions to run for election
13 and to solicit proxies for that purpose."

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

17 "§514B- Board; resignation. A member of the board of
18 directors may resign from the board at any time by:

- 19 (1) Delivering written notice of resignation to the
20 association's property manager, board of directors,
21 president, or secretary;



- 1 (2) Communicating the notice of resignation by electronic
- 2 mail to the association's property manager, board of
- 3 directors, president, or secretary at the electronic
- 4 mailing address designated in writing by the person
- 5 receiving the electronic mail; or
- 6 (3) Providing notice during a meeting orally or in
- 7 writing.

8 A resignation is effective when the notice is received, unless
9 the notice specifies a later effective date. If a resignation
10 is made effective at a later date, the board may fill the
11 pending vacancy before the effective date if the board provides
12 that the successor does not take office until the effective
13 date."

14 SECTION 3. New statutory material is underscored.

15 SECTION 4. This Act shall take effect on July 1, 2050.



Report Title:

Common Interest Communities; Planned Community Associations;
Condominium Associations; Resignation; Vacancies; Board of
Directors

Description:

Specifies the manner in which a member of a board of a planned
community association or condominium association may resign.
Limits a planned community association board's ability to fill a
vacancy. Effective 7/1/2050. (HD2)

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

