

JAN 15 2020

A BILL FOR AN ACT

RELATING TO TIME SHARES.

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

1 SECTION 1. The legislature finds that all time share
2 owners are members of their time share owners association.
3 However, some time share plans' owners associations are governed
4 by a plan manager or board of directors comprised of developer
5 delegates that may not represent the collective interests of the
6 time share owners.

7 The purpose of this Act is to require a time share plan
8 manager or the board of directors of a time share owners
9 association to maintain an accurate and current list of the
10 names, mailing addresses, and electronic mail addresses of the
11 board members and association members, to be made available to
12 any member of the association under certain conditions.

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

16 "§514E- Membership list. (a) The plan manager, or the
17 board of directors if there is no plan manager, shall keep an



1 accurate and current list of the names, mailing addresses, and
2 electronic mail addresses of all board members and association
3 members, including the names, mailing addresses, and electronic
4 mail addresses of any vendors under agreement of sale, if any.
5 The list shall be maintained at a place designated by the plan
6 manager or the board of directors and a copy shall be made
7 available, at a reasonable cost, to any member of the
8 association as provided in the declaration or bylaws or rules
9 and regulations or, in any case, to any member who furnishes to
10 the plan manager or board of directors a duly executed and
11 acknowledged affidavit stating that the list:

12 (1) Shall be used by such owner personally and only for
13 the purpose of soliciting votes or proxies or
14 soliciting information to board members with respect
15 to association matters; and
16 (2) Shall not be used by such owner or furnished to anyone
17 else for any other purpose.

18 (b) No board of directors shall adopt any rule prohibiting
19 the solicitation of proxies or distribution of materials
20 relating to association matters by association members; provided
21 that a board of directors may adopt rules regulating reasonable



1 time, place, and manner of such solicitations or distributions,
2 or both.

3 (c) Any reasonable fee charged to an association member to
4 obtain a copy of the list pursuant to this section shall not
5 exceed \$1 per page, or \$200, whichever is less."

6 SECTION 3. New statutory material is underscored.

7 SECTION 4. This Act shall take effect on July 1, 2020.

8

INTRODUCED BY:

Randy H. Baker
By Request



S.B. NO. 2011

Report Title:

Residential Real Property; Time Shares; Associations; Members;
Board of Directors; Plan Manager

Description:

Requires that a plan manager or board of directors keep an accurate and current list of the names, mailing addresses, and electronic mail addresses of board members and time share owners association members. Requires the list of board members and association members to be made available to owners under certain terms and for reasonable costs.

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

