
A BILL FOR AN ACT

RELATING TO CONDOMINIUMS.

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

1 SECTION 1. Section 514B-124.5, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "~~{}~~ §514B-124.5 ~~{}~~ Voting for elections; cumulative
4 voting. (a) ~~[If the bylaws provide for cumulative voting for~~
5 ~~an election at a meeting,~~ If an election is to be held by
6 cumulative voting pursuant to the bylaws, each unit owner
7 present in person or represented by proxy shall have a number of
8 votes equal to the unit owner's voting percentage multiplied by
9 the number of positions to be filled at the election.

10 (b) Each unit owner shall be entitled to cumulate the
11 individual votes of the unit owner and give all of the votes to
12 one ~~[nominee]~~ candidate or distribute the individual votes among
13 any or all of the ~~[nominees-]~~ candidates.

14 (c) The ~~[nominee or nominees]~~ candidate or candidates
15 receiving the highest number of votes under this section, up to
16 the total number of positions to be filled, shall be deemed
17 elected and shall be given the longest term.



1 (d) This section shall not prevent the filling of
2 vacancies on the board of directors in accordance with this
3 chapter and the association's governing documents.

4 (e) For purposes of this section, "candidate" means a
5 nominee or write-in candidate."

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 Statutory material to be repealed is bracketed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 on July 1, 3000.



Report Title:

Condominiums; Elections; Cumulative Voting; Write-In Candidates

Description:

Clarifies that, in condominium elections, cumulative voting rights apply to all candidates regardless of whether they are nominated. Clarifies that individual votes are used in cumulative voting. Effective 7/1/3000. (SD1)

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