

Honolulu, Hawaii
FEB 29, 2024

RE: H.B. No. 2316
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-Second State Legislature
Regular Session of 2024
State of Hawaii

Sir:

Your Committees on Consumer Protection & Commerce and
Judiciary & Hawaiian Affairs, to which was referred H.B. No. 2316
entitled:

"A BILL FOR AN ACT RELATING TO CONDOMINIUMS,"

beg leave to report as follows:

The purpose of this measure is to clarify the law regarding
cumulative voting for condominium association elections by:

- (1) Specifying that cumulative voting is allowed for all
candidates regardless of whether the person is
nominated; and
- (2) Clarifying that individual votes are used in cumulative
voting.

Your Committees received testimony in support of this measure
from the Honolulu Tower AOA; Palehua Townhouse Association; and
seven individuals. Your Committees received comments on this
measure from the Hawaii First Realty LLC; Law Offices of Mark K.
McKellar, LLC; AOA Waiialae Place; AOA Mariner's Village 1; The
Continental Apartments; AOA Lakeview Sands; Hawaii State
Association of Parliamentarians Legislative Committee; and
numerous individuals.



Your Committees find that existing law provides for cumulative voting only for persons nominated in elections for positions of condominium associations. This does not account for write-in candidates. This measure expands the existing authorization for cumulative voting to include write-in candidates.

Your Committees have amended this measure by:

- (1) Changing the effective date to July 1, 3000, to encourage further discussion; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Consumer Protection & Commerce and Judiciary & Hawaiian Affairs that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2316, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2316, H.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committees on Consumer
Protection & Commerce and
Judiciary & Hawaiian Affairs,



DAVID A. TARNAS, Chair



MARK M. NAKASHIMA, Chair



Record of Votes of the Committee on Judiciary & Hawaiian Affairs

Bill/Resolution No.: HB2316	Committee Referral: CPC/JHA	Date: 2/15/24		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
JHA Members	Ayes	Ayes (WR)	Nays	Excused
1. TARNAS, David A. (C)	✓			
2. TAKAYAMA, Gregg (VC)				✓
3. EVSLIN, Luke A.	✓			
4. GANADEN, Sonny	✓			
5. HOLT, Daniel	✓			
6. ICHIYAMA, Linda	✓			
7. ILAGAN, Greggor	✓			
8. KONG, Sam Satoru	✓			
9. MIYAKE, Tyson K.	✓			
10. SOUZA, Kanani	✓			
TOTAL (10)	9	0	0	1
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
If joint referral, _____ did not support recommendation.				
committee acronym(s)				
Vice Chair's or designee's signature: <i>Tyson K. Miyake</i>				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				