

STAND. COM. REP. NO. 3297

Honolulu, Hawaii

MAR 22 2024

RE: H.B. No. 2315  
H.D. 1  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-Second State Legislature  
Regular Session of 2024  
State of Hawaii

Sir:

Your Committee on Commerce and Consumer Protection, to which was referred H.B. No. 2315, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CONDOMINIUMS,"

begs leave to report as follows:

The purpose and intent of this measure is to clarify the laws regarding condominium association voting and meetings on the use of electronic voting devices; electronic meetings; and electronic, machine, or mail voting.

Your Committee received testimony in support of this measure from Hawaii First Realty LLC, Hawai'i State Association of Parliamentarians, and one individual.

Your Committee received testimony in opposition to this measure from the Honolulu Tower AOA and one individual.

Your Committee received comments on this measure from fourteen individuals.

Your Committee finds that in recent years, digital virtual meeting technology--which enables users to communicate in real time, collaborate on projects, and attend virtual meetings from anywhere worldwide--has accelerated rapidly, making them more reliable and accessible. Your Committee further finds that the



use of digital technology in condominium association governance can help expand participation, streamline processes, and help condominium associations save on management costs. Therefore, this measure continues the State's efforts to help prudently expand the use of digital technology in condominium association governance by clarifying certain laws relating to electronic meetings and voting.

Your Committee notes the concerns raised by the Hawaii State Parliamentarians, testifying that while electronic voting devices were seen in 2019 as an efficient, accurate, and auditable method for counting votes at condominiums, voting technology has since evolved. The Hawaii State Parliamentarians testified that electronic voting devices have been replaced by smart phone technology, which provides a higher level of auditing, security, and control, and requested that certain technical updates be made to the existing law regarding the use of electronic voting devices. Therefore, amendments to this measure are necessary to address these concerns.

Accordingly, your Committee has amended this measure by:

- (1) Repealing the language governing the use of an electronic voting device at an association meeting in section 514B-121, Hawaii Revised Statutes, which has become obsolete due to evolving technology;
- (2) Deleting references to "machine" voting and inserting language clarifying that the board of the unit owners association may authorize electronic meetings, electronic voting, and mail voting subject to certain conditions;
- (3) Inserting language authorizing the board to hold electronic meetings, electronic voting, and mail voting when approved by adoption of a special meeting rule at an association meeting that permits the board to authorize such meetings;
- (4) Inserting language clarifying that all association meetings, except those where all persons attend by electronic means, shall be held at the address of the



condominium or elsewhere within the State as determined by the board; and

- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2315, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2315, H.D. 1, S.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on  
behalf of the members of the  
Committee on Commerce and  
Consumer Protection



---

JARRETT KEOHOKALOLE, Chair



