

ACT 212

A Bill for an Act Relating to Horizontal Property Regimes and Amending Chapter 170A of the Revised Laws of Hawaii 1955, as Amended.

Be it Enacted by the Legislature of the State of Hawaii:

SECTION 1. Chapter 170A of the Revised Laws of Hawaii 1955, as amended, is hereby further amended in the following respects:

a. By amending subsection (a) of section 170A-2 thereof to read as follows:

“(a) ‘Apartment’ means a part of the property intended for any type of use or uses, and with an exit to a public street or highway or to a common element or elements leading to a public street or highway, and may include such appurtenances as garage and other parking space, storage room, balcony, terrace and patio.”

b. By amending subsection (r) of section 170A-2 thereof to read as follows:

“(r) ‘Property’ means and includes the land, whether leasehold or in fee simple, to the extent of the interest held therein by the owner or lessee submitting such interest to the horizontal property regime, the building or buildings, all improvements and all structures thereon and all easements, rights and appurtenances belonging thereto, and all articles of personal property intended for use in connection therewith, which have been or are intended to be submitted to the regime established by this chapter. A property may include two or more parcels of land separated only by public streets or ways.”

c. By amending clause (a) of Section 170A-18 thereof, to read as follows:

“(a) The election of a board of directors, the number of persons constituting the same and that the terms of at least one-third of the directors shall expire annually; the powers and duties of the board; the compensation, if any, of the directors; the method of removal from office of directors; and whether or not the board may engage the services of a manager or managing agent, or both, and specifying which of the powers and duties granted to the board by this chapter or otherwise may be delegated by the board to either or both of them.”

SECTION 2. This Act shall take effect upon its approval.
(Approved June 29, 1965.) **S.B. 923.**