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# A BILL FOR AN ACT

RELATING TO CONDOMINIUMS.

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

1           SECTION 1. The legislature finds that Act 189, Session  
2 Laws of Hawaii 2023, established the condominium property regime  
3 task force, which met on September 11, 2023; October 27, 2023;  
4 November 30, 2023; and December 14, 2023, to develop  
5 recommendations as part of its interim report to the legislature  
6 before the start of the 2024 regular session. Task force  
7 members sought and received information from the department of  
8 commerce and consumer affairs and several members of the public  
9 submitted written testimony and presented oral comments during  
10 hybrid remote and in-person meetings held by the task force.  
11 Links to the task force meetings and written materials are  
12 posted on the department of commerce and consumer affairs  
13 website and are linked to the state capitol website.

14           The purpose of this Act is to implement the request by the  
15 condominium property regime task force to require the  
16 legislative reference bureau to conduct a study on condominium  
17 subjects.



1 SECTION 2. (a) The legislative reference bureau shall  
2 study and submit a report on the approaches employed by certain  
3 other states regarding the following condominium subjects:

- 4 (1) A condominium ombudsman or similar position to  
5 specifically oversee condominiums;
- 6 (2) Required licenses for individuals involved in the  
7 management of condominiums;
- 8 (3) The availability of dedicated alternate dispute  
9 resolution or similar programs that are specifically  
10 for the prevention or resolution of condominium-  
11 related disputes and are separate from alternate  
12 dispute resolution programs available for other  
13 disputes;
- 14 (4) Governmental regulation and enforcement of condominium  
15 operations and governance that are separate from an  
16 ombudsman referenced in paragraph (1);
- 17 (5) Requirements for owner education at the point of sale  
18 of a unit; and
- 19 (6) Requirements for owner access to condominium  
20 documents.
- 21 (b) To the extent feasible, each subject shall include:



- 1 (1) Descriptive information detailing the approach of each
- 2 jurisdiction;
- 3 (2) Identified strengths and weaknesses of each particular
- 4 approach; and
- 5 (3) Identified best practices in the jurisdiction.
- 6 (c) The jurisdictions to be studied shall be:
- 7 (1) California;
- 8 (2) Delaware;
- 9 (3) Florida;
- 10 (4) Massachusetts;
- 11 (5) Nevada; and
- 12 (6) Any other jurisdiction deemed relevant by the
- 13 legislative reference bureau.
- 14 (d) The legislative reference bureau shall submit the
- 15 report to the legislature and the condominium property regime
- 16 task force no later than twenty days prior to the convening of
- 17 the regular session of 2026.

18 SECTION 3. Act 189, Session Laws of Hawaii 2023, section  
19 3, is amended by amending subsections (e) and (f) to read as  
20 follows:



1           "(e) The task force shall submit a final report of its  
2 findings and recommendations, including any proposed  
3 legislation, to the legislature no later than [~~twenty days prior~~  
4 ~~to the convening of the regular session of 2025.~~] June 30, 2026.

5           (f) The task force shall cease to exist on June 30,  
6 [~~2025.~~] 2026."

7           SECTION 4. There is appropriated out of the general  
8 revenues of the State of Hawaii the sum of \$                    or so  
9 much thereof as may be necessary for fiscal year 2024-2025 for  
10 the legislative reference bureau to conduct a study of  
11 condominium subjects in other states.

12           The sum appropriated shall be expended by the legislative  
13 reference bureau for the purposes of this Act.

14           SECTION 5. In accordance with section 9 of article VII, of  
15 the Constitution of the State of Hawaii and sections 37-91 and  
16 37-93, Hawaii Revised Statutes, the legislature has determined  
17 that the appropriation contained in this Act will cause the  
18 state general fund expenditure ceiling for fiscal year 2024-2025  
19 to be exceeded by \$                    or                    per cent. The reasons for  
20 exceeding the general fund expenditure ceiling are that the



1 appropriation made in this Act is necessary to serve the public  
2 interest and to meet the needs provided for by this Act.

3 SECTION 6. The legislative reference bureau may contract  
4 the services of a consultant with the funds appropriated in  
5 section 4 of this Act. The contracting of services under this  
6 Act shall be exempt from chapter 103D, Hawaii Revised Statutes.

7 SECTION 7. Statutory material to be repealed is bracketed  
8 and stricken. New statutory material is underscored.

9 SECTION 8. This Act shall take effect on July 1, 3000.



**Report Title:**

Condominium Property Regime Task Force; LRB; Study; Report;  
Appropriation; Expenditure Ceiling

**Description:**

Requires the Legislative Reference Bureau to conduct a study on how certain other states approach the following subjects as they relate to condominiums: an ombudsman, licenses for management, alternate dispute resolution, governmental regulation, owner education, and owner access to documents. Appropriates funds. Extends the deadline for the final report and the cease date for the Condominium Property Regime Task Force to 6/30/2026. Effective 7/1/3000. (HD1)

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

