

JAN 19 2024

A BILL FOR AN ACT

RELATING TO EMERGENCY MANAGEMENT.

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

1 SECTION 1. Section 127A-14, Hawaii Revised Statutes, is
2 amended by amending subsection (d) to read as follows:

3 "(d) Any proclamation issued under this chapter that fails
4 to state the time at which it will take effect shall take effect
5 at twelve noon of the day on which it takes effect. A state of
6 emergency and a local state of emergency shall terminate
7 automatically sixty days after the issuance of a proclamation of
8 a state of emergency or local state of emergency, respectively,
9 or by a separate proclamation of the governor or mayor,
10 whichever occurs first."

11 SECTION 2. Section 127A-30, Hawaii Revised Statutes, is
12 amended as follows:

13 1. By amending subsection (a) to read:

14 "(a) Whenever the governor declares a state of emergency
15 for the entire State or any portion thereof, or a mayor declares
16 a local state of emergency for the county or any portion



1 thereof, or when the State, or any portion thereof, is the
2 subject of a severe weather warning:

3 (1) There shall be prohibited any increase in the selling
4 price of any commodity, whether at the retail or
5 wholesale level, in the area that is the subject of
6 the proclamation or the severe weather warning; [~~and~~]

7 (2) No landlord shall terminate any tenancy for a
8 residential dwelling unit in the area that is the
9 subject of the proclamation or the severe weather
10 warning, except for a breach of a material term of a
11 rental agreement or lease, or if the unit is unfit for
12 occupancy as defined in this chapter; provided that:

13 (A) Nothing in this chapter shall be construed to
14 extend a fixed-term lease beyond its termination
15 date, except that a periodic tenancy for a
16 residential dwelling unit may be terminated by
17 the landlord upon forty-five days' written
18 notice:

19 (i) When the residential dwelling unit is sold
20 to a bona fide purchaser for value; or



1 (ii) When the landlord or an immediate family
2 member of the landlord will occupy the
3 residential dwelling unit; or

4 (B) Under a fixed-term lease or a periodic tenancy,
5 upon forty-five days' written notice, a landlord
6 may require a tenant or tenants to relocate
7 during the actual and continuous period of any
8 repair to render a residential dwelling unit fit
9 for occupancy; provided that:

10 (i) Reoccupancy shall first be offered to the
11 same tenant or tenants upon completion of
12 the repair;

13 (ii) The term of the fixed-term lease or periodic
14 tenancy shall be extended by a period of
15 time equal to the duration of the repair;
16 and

17 (iii) It shall be the responsibility of the tenant
18 or tenants to find other accommodations
19 during the period of repair[-]; and

20 (3) No landlord shall increase, or give notice of an
21 increase to, the rent for a residential dwelling unit



1 in the area that is the subject of the proclamation or
 2 the severe weather warning if the increase was not
 3 contained in a written instrument that was signed by
 4 the tenant prior to the declaration or severe weather
 5 warning."

6 2. By amending subsection (c) to read:

7 "(c) [~~The prohibitions~~] Each prohibition under [subsection
 8 ~~(a)]:~~

9 (1) Subsection (a) (1) or (2) shall remain in effect until
 10 twenty-four hours after the severe weather warning is
 11 canceled by the National Weather Service; or in the
 12 event of a declaration, the later of a date specified
 13 by the governor or mayor in the declaration or
 14 ninety-six hours after the effective date and time of
 15 the declaration, unless [~~such~~] the prohibition is
 16 continued by a supplementary declaration issued by the
 17 governor or mayor[~~. Any proclamation issued under~~
 18 ~~this chapter that fails to state the time at which it~~
 19 ~~will take effect, shall take effect at twelve noon of~~
 20 ~~the day on which it takes effect.]; or~~



1 (2) Subsection (a)(3) shall remain in effect
2 until _____ days after the severe weather warning
3 is canceled by the National Weather Service; or in the
4 event of a declaration, the later of a date specified
5 by the governor or mayor in the declaration
6 or _____ days after the effective date and time of
7 the declaration, unless the prohibition is continued
8 by a supplementary declaration issued by the governor
9 or mayor."

10 SECTION 3. This Act does not affect rights and duties that
11 matured, penalties that were incurred, and proceedings that were
12 begun before its effective date.

13 SECTION 4. Statutory material to be repealed is bracketed
14 and stricken. New statutory material is underscored.

15 SECTION 5. This Act shall take effect upon its approval.

16

INTRODUCED BY: 



S.B. NO. 2908

Report Title:

Disasters; Residential Rental; Price Increases; Prohibition

Description:

Prohibits residential rent increases in affected areas for an unspecified period after a severe storm warning or issuance of an emergency proclamation.

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

