

JAN 20 2017

A BILL FOR AN ACT

RELATING TO CONDOMINIUMS.

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

1 SECTION 1. Section 514B-71, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:

3 "(a) The commission shall establish a condominium
4 education trust fund that the commission shall use for
5 educational purposes. Educational purposes shall include
6 financing or promoting:

- 7 (1) Education and research in the field of condominium
8 management, condominium project registration, and real
9 estate, for the benefit of the public and those
10 required to be registered under this chapter;
- 11 (2) The improvement and more efficient administration of
12 associations;
- 13 (3) Expeditious and inexpensive procedures for resolving
14 association disputes; and
- 15 (4) Support for mediation or binding arbitration of
16 condominium related disputes."



S.B. NO. 200

1 SECTION 2. Section 514B-72, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:

3 "(a) Each project or association with more than five
4 units, including any project or association with more than five
5 units subject to chapter 514A, shall pay to the department of
6 commerce and consumer affairs:

7 (1) A condominium education trust fund fee within one year
8 after the recordation of the purchase of the first
9 unit or within thirty days of the association's first
10 meeting, and thereafter, on or before June 30 of every
11 odd-numbered year, as prescribed by rules adopted
12 pursuant to chapter 91; and

13 (2) Beginning with the July 1, 2015, biennium
14 registration, an additional annual condominium
15 education trust fund fee in an amount equal to the
16 product of \$1.50 times the number of condominium units
17 included in the registered project or association to
18 be dedicated to supporting mediation or binding
19 arbitration of condominium related disputes. The
20 additional condominium education trust fund fee shall
21 total \$3 per unit until the commission adopts rules



1 pursuant to chapter 91. On June 30 of every odd-
2 numbered year, any unexpended additional amounts paid
3 into the condominium education trust fund and
4 initially dedicated to supporting mediation or binding
5 arbitration of condominium related disputes, as
6 required by this paragraph, shall be used for
7 educational purposes as provided in section 514B-
8 71(a)(1), (2), and (3)."

9 SECTION 3. Act 187, Session Laws of Hawaii 2013, is
10 amended by amending section 5 to read as follows:

11 "SECTION 5. The department of commerce and consumer
12 affairs professional and vocational licensing division's budget
13 ceiling shall be amended to reflect the additional annual
14 condominium education trust fund fee required by section 514B-
15 72(a)(2), Hawaii Revised Statutes, and paid into the condominium
16 education trust fund, established by section 514B-71, Hawaii
17 Revised Statutes. On June 30 of every odd-numbered year, any
18 unexpended additional amounts paid into the condominium
19 education trust fund and initially dedicated to supporting
20 mediation or binding arbitration of condominium related
21 disputes, as required by section 514B-72(a)(2), Hawaii Revised



S.B. NO. 200

1 Statutes, shall be used for educational purposes as provided in
2 section 514B-71(a) (1), (2), and (3), Hawaii Revised Statutes."

3 SECTION 4. New statutory material is underscored.

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

5

INTRODUCED BY: Michelle R. Kulanani

Rosely de Baker

Will Zygo

~~Don~~ D.C. Fitch-Appa

B

Tracy [unclear]

BTG

Mark

Lorraine G. Brown

Paul E. [unclear]

Clarence [unclear]



S.B. NO. 200

Report Title:

Condominiums; Binding Arbitration; Condominium Education Trust Fund Fee

Description:

Allows annual condominium education trust fund fees to be used for binding arbitration of condominium disputes.

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

