
A BILL FOR AN ACT

RELATING TO CONDOMINIUMS.

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

1 SECTION 1. Section 514B-107, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:

3 "(a) [~~Members~~] Except as otherwise provided in the
4 declaration and bylaws, members of the board shall be unit
5 owners or co-owners, vendees under an agreement of sale, a
6 trustee of a trust which owns a unit, or an officer, partner,
7 member, or other person authorized to act on behalf of any other
8 legal entity which owns a unit. There shall not be more than
9 one representative on the board from any one unit."

10 SECTION 2. Section 514B-123, Hawaii Revised Statutes, is
11 amended by amending subsection (d) to read as follows:

12 "(d) A proxy, to be valid, shall:

13 (1) Be delivered to the secretary of the association or
14 the managing agent, if any, no later than 4:30 p.m. on
15 the second business day prior to the date of the
16 meeting to which it pertains;



- 1 (2) Contain at least the name of the association, the date
2 of the meeting of the association, the printed names
3 and signatures of the persons giving the proxy, the
4 unit numbers for which the proxy is given, the names
5 of persons to whom the proxy is given, and the date
6 that the proxy is given; and
- 7 (3) If it is a standard proxy form authorized by the
8 association, contain boxes wherein the owner has
9 indicated that the proxy is given:
- 10 (A) For quorum purposes only;
- 11 (B) To the individual whose name is printed on a line
12 next to this box;
- 13 (C) To the board as a whole and that the vote is to
14 be made on the basis of the preference of the
15 majority of the directors present at the meeting;
16 or
- 17 (D) To those directors present at the meeting with
18 the vote to be shared with each director
19 receiving an equal percentage[-];
- 20 provided that if the proxy is returned with more than
21 one box in subparagraphs (A), (B), (C), or (D) marked,



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1 the proxy form shall be deemed defective and shall be
2 counted for quorum purposes only.

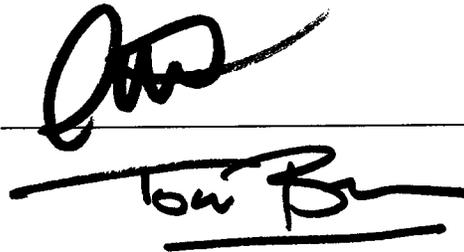
3 The proxy form shall also contain a box wherein the
4 owner may indicate that the owner wishes to obtain a
5 copy of the annual audit report required by section
6 514B-150."

7 SECTION 3. Statutory material to be repealed is bracketed
8 and stricken. New statutory material is underscored.

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

10

INTRODUCED BY: _____



JAN 19 2017



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Report Title:

Condominiums; Board Membership; Proxy Votes

Description:

Clarifies who qualifies as a board member of a condominium association. Provides when a vote by standard proxy form is defective and counted for quorum purposes only.

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

