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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 the installation of  
2 security cameras upon the property of a unit owner within a  
3 condominium property regime may deter criminal activity on and  
4 around the property. Additionally, the installation of security  
5 cameras may provide recorded surveillance that can serve as  
6 evidence in the criminal prosecution of offenders. The  
7 legislature further finds that the current approval processes  
8 for security cameras can extend to great lengths of time, during  
9 which potential criminal activity could occur that would  
10 otherwise be mitigated if the owner were allowed to install the  
11 equipment at will. Given this vital role of security cameras  
12 for the protection of personal and real property, a governing  
13 board should not have power over approval and disapproval of  
14 said equipment.

15       The purpose of this Act is to authorize a unit owner to  
16 install security cameras upon property solely owned by the unit  
17 owner and that the installation of security cameras shall not be



1 subject to or require approval from the board of directors of  
2 the condominium association.

3 SECTION 2. Section 514B-140, Hawaii Revised Statutes, is  
4 amended by amending subsection (d) to read as follows:

5 "(d) Notwithstanding any other law to the contrary in this  
6 chapter or any provisions in any declaration or bylaws:

7 (1) Regarding the installment of telecommunications  
8 equipment:

9 (A) The board shall have the authority to install or  
10 cause the installation of antennas, conduits,  
11 chases, cables, wires, and other television  
12 signal distribution and telecommunications  
13 equipment upon the common elements of the  
14 project; provided that the same shall not be  
15 installed upon any limited common element without  
16 the consent of the owner or owners of the unit or  
17 units for the use of which the limited common  
18 element is reserved; [and]

19 (B) The installation of antennas, conduits, chases,  
20 cables, wires, and other television signal  
21 distribution and telecommunications equipment



1           upon the common elements by the board shall not  
2           be deemed to alter, impair, or diminish the  
3           common interest, common elements, and easements  
4           appurtenant to each unit, or to be a structural  
5           alteration or addition to any building  
6           constituting a material change in the plans of  
7           the project filed in accordance with sections  
8           514B-33 and 514B-34; provided that no  
9           installation shall directly affect any  
10          nonconsenting unit owner; and

11          (C) A unit owner shall have the authority to install  
12          or cause the installation of security video  
13          telecommunications equipment upon property solely  
14          owned by the unit owner and such installation  
15          shall not be subject to or require approval by  
16          the board;

17          (2) Regarding the abandonment of telecommunications  
18          equipment:

19          (A) The board shall be authorized to abandon or  
20          change the use of any television signal  
21          distribution and telecommunications equipment due



1 to technological or economic obsolescence or to  
2 provide an equivalent function by different means  
3 or methods; and

4 (B) The abandonment or change of use of any  
5 television signal distribution or  
6 telecommunications equipment by the board due to  
7 technological or economic obsolescence or to  
8 provide an equivalent function by different means  
9 or methods shall not be deemed to alter, impair,  
10 or diminish the common interest, common elements,  
11 and easements appurtenant to each unit or to be a  
12 structural alteration or addition to any building  
13 constituting a material change in the plans of  
14 the project filed in accordance with sections  
15 514B-33 and 514B-34; and

16 (3) Regarding the installation of solar energy devices and  
17 wind energy devices:

18 (A) The board shall have the authority to install or  
19 cause the installation of, or lease or license  
20 [f]common[t] elements for the installation of  
21 solar energy devices and wind energy devices on



1 the common elements of the project; provided that  
2 solar or wind energy devices shall not be  
3 installed upon any limited common element without  
4 the consent of the owner or owners of the unit or  
5 units for which use of the limited common element  
6 is reserved; and

7 (B) The installation of solar energy devices and wind  
8 energy devices on the common elements of the  
9 project by the board shall not be deemed to  
10 alter, impair, or diminish the common interest,  
11 common elements, or easements appurtenant to each  
12 unit or to be a structural alteration or addition  
13 to any building constituting a material change in  
14 the plans of the project filed in accordance with  
15 sections 514B-33 and 514B-34; provided that the  
16 installation does not directly affect any  
17 nonconsenting unit owner."

18 SECTION 3. Statutory material to be repealed is bracketed  
19 and stricken. New statutory material is underscored.



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

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**Report Title:**

Condominiums; Security Cameras

**Description:**

Clarifies that condominium unit owners have the authority to install security video telecommunications equipment upon property solely owned by the unit owner.

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

