
A BILL FOR AN ACT

RELATING TO CONDOMINIUMS.

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

1 SECTION 1. Section 514A-83.5, Hawaii Revised Statutes, is
2 amended by amending subsection (d) to read as follows:

3 "(d) Owners shall also be permitted to view proxies, tally
4 sheets, ballots, owners' check-in lists, and the certificate of
5 election for a period of thirty days following any association
6 meeting; provided[+] that:

7 (1) ~~[That the]~~ The board may require owners to furnish to
8 the association a duly executed and acknowledged
9 affidavit stating that the information is requested in
10 good faith for the protection of the interest of the
11 association or its members or both; and

12 (2) ~~[That owners]~~ Owners pay for administrative costs in
13 excess of eight hours per year.

14 Proxies and ballots may be destroyed ~~[following the thirty-day~~
15 ~~period.]~~ ninety days after the association meeting. Copies of
16 tally sheets, owners' check-in lists, and the certificates of
17 election from the most recent association meeting shall be



1 provided to any owner upon the owner's request; provided that the
2 owner pay a reasonable fee for duplicating, postage, stationery,
3 and other administrative costs associated with handling the
4 request."

5 SECTION 2. Section 514B-154, Hawaii Revised Statutes, is
6 amended by amending subsection (c) to read as follows:

7 "(c) After any association meeting, and not earlier, unit
8 owners shall be permitted to examine proxies, tally sheets,
9 ballots, owners' check-in lists, and the certificate of
10 election; provided that:

11 (1) Owners shall make a request to examine the documents
12 within thirty days after the association meeting;

13 (2) The board may require owners to furnish to the
14 association a duly executed and acknowledged affidavit
15 stating that the information is requested in good
16 faith for the protection of the interest of the
17 association or its members or both; and

18 (3) Owners shall pay for administrative costs in excess of
19 eight hours per year.

20 ~~[If there are no requests to examine proxies and ballots,~~
21 ~~the] The documents may be destroyed [~~thirty days~~] ninety days~~



1 after the association meeting. [~~If there are requests to~~
2 ~~examine proxies and ballots, the documents shall be kept for an~~
3 ~~additional sixty days, after which they may be destroyed.~~]
4 Copies of tally sheets, owners' check-in lists, and the
5 certificates of election from the most recent association
6 meeting shall be provided to any owner upon the owner's request;
7 provided that the owner pays a reasonable fee for duplicating,
8 postage, stationery, and other administrative costs associated
9 with handling the request."

10 SECTION 3. Statutory material to be repealed is bracketed
11 and stricken. New statutory material is underscored.

12 SECTION 4. This Act shall take effect upon its approval.
13



Report Title:

Condominiums; Condominium Associations; Proxies and Ballots;
Retention

Description:

Specifies that a condominium association's proxies and ballots may be destroyed ninety days, rather than thirty days, after an association meeting. (SD1)

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

