
A BILL FOR AN ACT

RELATING TO CONDOMINIUMS.

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

SECTION 1. Section 514B-95.5, Hawaii Revised Statutes, is amended to read as follows:

"[+]§514B-95.5[+] **Announcement or advertisement; publication.** At least once in each of two successive weeks, and at any time following the issuance of an effective date of the first developer's public report for the condominium project, the developer shall cause to be published in at least one newspaper published daily in the State with a general circulation in the county in which the project is to be located, and, if the project is located other than on the island of Oahu, in at least one newspaper that is published at least weekly in the county in which the project is to be located, an announcement or advertisement containing at least the following information:

(1) The location of the project;

(2) The minimum price of the residential units;

(3) A designation as to whether the residential units are to be sold in fee simple or leasehold;



(4) A statement that for a thirty-day period following the initial date of sale of the condominium project, at least [~~fifty~~] ninety per cent of the residential units being marketed shall be offered only to prospective owner-occupants;

(5) The name, telephone number, and address of the developer or other real estate broker designated by the developer that an interested individual may contact to secure an owner-occupant affidavit, developer's public report, and any other information concerning the project; and

(6) If applicable, a statement that the residential units will be offered to prospective purchasers through a public lottery."

SECTION 2. Section 514B-96, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

"(a) The developer of any project containing residential units shall designate at least [~~fifty~~] ninety per cent of the units for sale to prospective owner-occupants pursuant to section 514B-98. The designation shall be set forth either in the developer's public report or in the announcement or



1 advertisement required by section 514B-95.5, and may be set
2 forth in both. The units shall constitute a proportionate
3 representation of all the residential units in the project with
4 regard to factors of square footage, number of bedrooms and
5 bathrooms, floor level, and whether or not the unit has a
6 lanai."

7 SECTION 3. Section 514B-98, Hawaii Revised Statutes, is
8 amended by amending subsection (b) to read as follows:

9 "(b) For a thirty-day period following the initial date of
10 sale of units in a condominium project, at least [~~fifty~~] ninety
11 per cent of the units being sold shall be offered for sale only
12 to prospective owner-occupants; provided that notwithstanding
13 this subpart, in the case of a project that includes one or more
14 existing structures being converted to condominium status, each
15 residential unit contained in the project first shall be offered
16 for sale to any individual occupying the unit immediately prior
17 to the conversion and who submits an owner-occupant affidavit
18 and an earnest money deposit in a reasonable amount designated
19 by the developer."

20 SECTION 4. Statutory material to be repealed is bracketed
21 and stricken. New statutory material is underscored.



H.B. NO. 2239

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

2

INTRODUCED BY: *SCOTT R. BROWN*

JAN 25 2022



H.B. NO. 2239

Report Title:

Condominium; Residential Units; Sale; Owner-Occupants

Description:

Increases the minimum number of residential units in a condominium project that must be offered for sale to prospective owner-occupants in the thirty-day period following the initial date of sale of the condominium from 50 percent to 90 percent.

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

