

JAN 26 2022

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# A BILL FOR AN ACT

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RELATING TO TRANSIENT VACATION UNITS.

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

1       SECTION 1. The Hawaii Revised Statutes is amended by  
2 adding a new chapter to title 26 to be appropriately designated  
3 and to read as follows:

4                               **"CHAPTER**

5                                       **TRANSIENT VACATION UNITS**

6       §    -1 **Definitions.** As used in this chapter, unless the  
7 context otherwise requires:

8       "Compensation" includes monetary payment, services, or  
9 labor of transient occupants.

10       "County" means the county in which a dwelling unit is  
11 located.

12       "Dwelling unit" means a structure, or part of a structure,  
13 which is used as a home, residence, sleeping place, or lodging  
14 by one person or by two or more persons maintaining a common  
15 household or group, to the exclusion of all others.

16       "Transient vacation unit" means a dwelling unit that is  
17 advertised, solicited, offered, or provided, or a combination of



any of the foregoing, for compensation to transient occupants for fewer than thirty days.

§ -2 **Citizen suits.** (a) After June 30, 2022, any person may commence a civil action on that person's own behalf against any owner of a dwelling unit if the owner:

(1) Is not authorized by the county to provide the dwelling unit as a transient vacation unit; and

(2) Advertises, solicits, offers, or provides to any person the dwelling unit as a transient vacation unit.

(b) The district court that is located in the county shall have jurisdiction to:

(1) Enjoin the owner of the dwelling unit from providing the dwelling unit as a transient vacation unit; and

(2) Order the owner to pay to the plaintiff damages not to exceed \$25,000, plus reasonable attorney fees.

(c) No action may be commenced before \_\_\_\_\_ days after the plaintiff has given notice of the violation to the owner.

(d) Parties may submit admissible evidence relating to the alleged unauthorized activity, including photographic and videographic evidence.



1 (e) Nothing in this section shall restrict any right which  
2 any person may have under any constitutional provision, statute,  
3 or common law to seek enforcement of any other applicable law or  
4 to seek any other relief."

5 SECTION 2. Chapter 604, Hawaii Revised Statutes, is  
6 amended by adding a new section to be appropriately designated  
7 and to read as follows:

8 "§604- Jurisdiction of district courts; transient  
9 vacation units; citizen suits. Jurisdiction is conferred upon  
10 the district courts to try all cases specified in section -2  
11 relating to unauthorized transient vacation units."

12 SECTION 3. This Act does not affect rights and duties that  
13 matured, penalties that were incurred, and proceedings that were  
14 begun before its effective date.

15 SECTION 4. New statutory material is underscored.

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

17  
INTRODUCED BY:





# S.B. NO. 3333

**Report Title:**

Transient Vacation Units; Rentals; Counties; Private Civil Suits

**Description:**

Authorizes any person to commence a civil action in district court on that person's own behalf against any owner of a dwelling unit if the owner advertises, solicits, offers, or provides the dwelling unit as a transient vacation unit and the owner is not authorized by the applicable county to provide the unit as a transient vacation unit.

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

