

JAN 19 2024

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# A BILL FOR AN ACT

RELATING TO NEIGHBORHOOD SECURITY WATCH PROGRAMS.

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

1           SECTION 1. The legislature finds that planned communities  
2 are a type of common-interest development in which individuals  
3 own property within the development, share ownership and use of  
4 common property with all other owners, and participate in a  
5 system of self-governance through an association of the owners  
6 within the development. Planned community associations play a  
7 vital role in maintaining the character, value, and well-being  
8 of planned communities. Planned community associations foster a  
9 sense of community and stability for their members by managing  
10 common areas; enforcing covenants, conditions, and restrictions;  
11 and providing services, amenities, and facilities. Services and  
12 amenities may include landscaping; parking lots; swimming pools;  
13 athletic facilities, such as tennis, basketball, and volleyball  
14 courts; and community spaces, such as party spaces.

15           The legislature further finds that the unique geographical  
16 and social realities of the State demand that planned community  
17 associations go beyond merely ensuring the upkeep of common



1 areas and amenities. As the State's planned communities face  
2 heightened risks associated with fire hazards, natural  
3 disasters, and homelessness, a proactive approach to  
4 neighborhood security becomes an indispensable element of public  
5 safety. A unified approach to neighborhood security, which  
6 actively engages residents and leverages their collective  
7 vigilance, can significantly enhance the safety and peace of  
8 mind enjoyed by planned community association members and their  
9 families.

10 Accordingly, the purpose of this Act is to require a  
11 planned community association to either:

- 12 (1) Develop and adopt program rules for a neighborhood  
13 security watch program within the association's  
14 planned community; or  
15 (2) Allocate a portion of the association's regular  
16 assessments to fund a neighborhood security watch  
17 program offered by a qualified third-party  
18 organization.

19 SECTION 2. Chapter 421J, Hawaii Revised Statutes, is  
20 amended by adding a new section to be appropriately designated  
21 and to read as follows:



1        "§421J- Neighborhood security watch programs. (a) No  
2 later than one year after the effective date of this Act, an  
3 association shall either:  
4        (1) Develop and adopt program rules for a neighborhood  
5 security watch program within the association's  
6 planned community. The rules shall:  
7        (A) Define the neighborhood security watch program's  
8 purpose, scope, and activities;  
9        (B) Establish procedures for volunteer recruitment,  
10 training, and operation;  
11        (C) Address data collection, reporting, and  
12 communication protocols; and  
13        (D) Ensure compliance with applicable laws and  
14 regulations; or  
15        (2) Allocate a portion of the association's regular  
16 assessments to fund a neighborhood security watch  
17 program offered by a qualified third-party  
18 organization.  
19        (b) An association that chooses to allocate a portion of  
20 its regular assessments to a third-party organization shall:

- 1        (1) Select an organization that operates a neighborhood  
2        security watch program that meets the criteria  
3        established in subsection (a) (1); and
- 4        (2) Provide clear and transparent information to members  
5        about the neighborhood security watch program,  
6        including the amount of the regular assessments  
7        allocated and the services provided by.
- 8        (c) Before adopting program rules or allocating a portion  
9        of the association's regular assessments, an association shall  
10       hold at least one public meeting, duly noticed in accordance  
11       with section 421J-3.5, to:
- 12       (1) Inform members of the options outlined in subsection  
13       (a);
- 14       (2) Provide an opportunity for members to ask questions  
15       and provide input; and
- 16       (3) Discuss the proposed program rules or selected program  
17       offered by a qualified third-party organization.
- 18       (d) This section shall not apply to associations  
19       consisting of less than one thousand members.



1       (e) The department of commerce and consumer affairs shall  
2 enforce this section. An association may apply to the  
3 department for an exemption from this section on the basis that:

4       (1) Implementing a neighborhood security watch program is  
5 not feasible or appropriate for the association's  
6 planned community; or

7       (2) The association is already engaged in alternative  
8 community safety initiatives that are demonstrably  
9 effective.

10       (f) For purposes of this section, "neighborhood security  
11 watch program" means a voluntary program in which residents of a  
12 neighborhood observe and report suspicious activity to law  
13 enforcement agencies."

14       SECTION 3. New statutory material is underscored.

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

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INTRODUCED BY:

A handwritten signature in black ink, appearing to be 'R. S. C.', written over a horizontal line.

# S.B. NO. 2586

**Report Title:**

Planned Community Associations; Neighborhood Security Watch Programs; Establishment; Regular Assessments

**Description:**

Requires planned community associations to either develop and adopt program rules for a neighborhood security watch program within the association's planned community or allocate a portion of the association's regular assessments to fund a neighborhood security watch program offered by a qualified third-party organization, no later than one year after the effective date of this Act.

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

