

JAN 20 2023

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# A BILL FOR AN ACT

RELATING TO THE NONPROFIT CORPORATIONS ACT.

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

1           SECTION 1. Section 414D-147, Hawaii Revised Statutes, is  
2 amended to read as follows:

3           " ~~[§] §414D-147 [§]~~ **Quorum and voting.** (a) Except as  
4 otherwise provided in this chapter, the articles, or the bylaws,  
5 a quorum of a board of directors consists of a majority of the  
6 directors in office immediately before a meeting begins. In no  
7 event may the articles or bylaws authorize a quorum of fewer  
8 than the greater of one-third of the number of directors in  
9 office or two directors.

10           (b) If a quorum is present when a vote is taken, the  
11 affirmative vote of a majority of directors present is the act  
12 of the board unless this chapter, the articles, or the bylaws  
13 require the vote of a greater number of directors.

14           (c) This section shall not apply to any planned community  
15 association governed by chapter 421J or condominiums governed by  
16 chapter 514B."



1 SECTION 2. Statutory material to be repealed is bracketed  
2 and stricken. New statutory material is underscored.

3 SECTION 3. This Act shall take effect upon its approval.

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INTRODUCED BY:

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# S.B. NO. 005

**Report Title:**

Nonprofit Corporations; Condominiums; Planned Community Associations; Quorum; Exception

**Description:**

Makes the quorum and voting requirements of the Nonprofit Corporation Act inapplicable to planned community associations and condominiums.

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

