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## A BILL FOR AN ACT

RELATING TO COMMON INTEREST COMMUNITIES.

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

SECTION 1. Section 421J-4, Hawaii Revised Statutes, is amended by amending subsection (d) to read as follows:

"(d) If a proxy is a standard proxy form authorized by the association, the proxy shall contain the following statement, including boxes wherein the owner may indicate that the proxy is given:

~~[(1) For quorum purposes only;~~

~~-(2) To the individual whose name is printed on a line next to this box;~~

~~-(3) To the board of directors as a whole and that the vote be made on the basis of the preference of the majority of the directors present at the meeting; or~~

~~-(4) To those directors present at the meeting and the vote to be shared with each board member receiving an equal percentage;~~

~~Provided that if]~~



1     "[ ]     **For quorum purposes only.**     In order for the  
2             Association to legally conduct the Annual Meeting, it  
3             requires a Quorum percentage of Ownership. If this  
4             box is selected, this proxy counts towards the quorum  
5             number requirement. Quorum Purposes Only has no  
6             voting actions.

7     [ ]     **To the individual whose name is printed on a line next**  
8             **to this box:** \_\_\_\_\_.

9             If you are unable to attend the Annual Meeting or  
10            think you may not be able to attend the Annual  
11            Meeting, you can select this box and name an  
12            individual to represent you as a proxy. If, on the  
13            day of the Annual Meeting, you do attend and check in  
14            at the Annual Meeting, this proxy shall become void  
15            and you will be directly participating in the voting  
16            ballot process.

17    [ ]     **To the Board as a whole.**     This selection means the  
18             proxy is presented to the entire Board, not just to  
19             individual Directors. The Board is voting together as  
20             one. If you are happy with the composition of the  
21             total Board (Board as a whole), selecting this box



1           will put your vote toward re-electing the current  
2           members of the Board.

3        [    ]    To those Directors present at the Meeting with the  
4        vote to be shared with each Director receiving an  
5        equal percentage. This selection means the vote is to  
6        be made on the basis of the preference of the  
7        Directors present at the Meeting. Only Directors who  
8        are physically present at the Meeting count toward the  
9        vote. For example, if you have a 7 member Board, but  
10       only 5 attend, the majority is 3 votes (out of 5  
11       present), not 4 (out of 7 total). Your ownership is  
12       then divided amongst the Board Members present at the  
13       Meeting. These Board Members will then submit their  
14       voting ballot based upon their vote and not anyone  
15       else's vote."

16    If the proxy is returned with no box checked, or if more than  
17    one of the foregoing boxes [in paragraphs (1) through (4)] is  
18    checked, the proxy shall be counted for quorum purposes only."

19           SECTION 2. Section 421I-4, Hawaii Revised Statutes, is  
20    amended by amending subsection (c) to read as follows:



"(c) A proxy [~~statement~~] form shall contain [~~at least the~~  
~~following information~~], at minimum:

(1) The name of the corporation;

(2) The date of the meeting to which the proxy is  
applicable;

(3) The printed name and the signature of the shareholder  
giving the proxy; [~~and~~]

(4) The dwelling unit or units for which the proxy is  
given[~~-~~]; and

(5) The following statement, including boxes wherein the  
shareholder may indicate that the proxy is given:

"[ ] For quorum purposes only. In order for the  
Corporation to legally conduct the Meeting, it  
requires a Quorum percentage of Ownership. If this  
box is selected, this proxy counts towards the quorum  
number requirement. Quorum Purposes Only has no  
voting actions.

[ ] To the individual whose name is printed on a line next  
to this box:

If you are unable to attend the Meeting or think you  
may not be able to attend the Meeting, you can select



1        this box and name an individual to represent you as a  
2        proxy. If, on the day of the Meeting, you do attend  
3        and check in at the Meeting, this proxy shall become  
4        void and you will be directly participating in the  
5        voting ballot process.

6        [ ] To the Board as a whole. This selection means the  
7        proxy is presented to the entire Board, not just to  
8        individual Directors. The Board is voting together as  
9        one. If you are happy with the composition of the  
10       total Board (Board as a whole), selecting this box  
11       will put your vote toward re-electing the current  
12       members of the Board.

13       [ ] To those Directors present at the Meeting with the  
14       vote to be shared with each Director receiving an  
15       equal percentage. This selection means the vote is to  
16       be made on the basis of the preference of the  
17       Directors present at the Meeting. Only Directors who  
18       are physically present at the Meeting count toward the  
19       vote. For example, if you have a 7 member Board, but  
20       only 5 attend, the majority is 3 votes (out of 5  
21       present), not 4 (out of 7 total). Your ownership is



1           then divided amongst the Board Members present at the  
2           Meeting. These Board Members will then submit their  
3           voting ballot based upon their vote and not anyone  
4           else's vote."

5   If the proxy is returned with no box checked, or if more than  
6   one of the foregoing boxes is checked, the proxy shall be  
7   counted for quorum purposes only."

8           SECTION 3. Section 514B-123, Hawaii Revised Statutes, is  
9   amended by amending subsection (e) to read as follows:

10          "(e) If a proxy is a standard proxy form authorized by the  
11   association, the proxy shall comply with the following  
12   additional requirements:

13          (1) The proxy shall contain the following statement,  
14               including boxes wherein the owner may indicate that  
15               the proxy is given:

16           ~~[(A) For quorum purposes only;~~

17           ~~(B) To the individual whose name is printed on a line~~  
18           ~~next to this box;~~

19           ~~(C) To the board as a whole and that the vote is to~~  
20           ~~be made on the basis of the preference of the~~



majority of the directors present at the meeting;

or

(D) To those directors present at the meeting with  
the vote to be shared with each director  
receiving an equal percentage;]

"[ ☐ ] **For quorum purposes only.** In order for the  
Association to legally conduct the Annual Meeting, it  
requires a Quorum percentage of Ownership. If this  
box is selected, this proxy counts towards the quorum  
number requirement. Quorum Purposes Only has no  
voting actions.

[ ☐ ] **To the individual whose name is printed on a line next  
to this box:** \_\_\_\_\_.

If you are unable to attend the Annual Meeting or  
think you may not be able to attend the Annual  
Meeting, you can select this box and name an  
individual to represent you as a proxy. If, on the  
day of the Annual Meeting, you do attend and check in  
at the Annual Meeting, this proxy shall become void  
and you will be directly participating in the voting  
ballot process.



1     [    ]    To the Board as a whole. This selection means the  
2     proxy is presented to the entire Board, not just to  
3     individual Directors. The Board is voting together as  
4     one. If you are happy with the composition of the  
5     total Board (Board as a whole), selecting this box  
6     will put your vote toward re-electing the current  
7     members of the Board.

8     [    ]    To those Directors present at the Meeting with the  
9     vote to be shared with each Director receiving an  
10    equal percentage. This selection means the vote is to  
11    be made on the basis of the preference of the  
12    Directors present at the Meeting. Only Directors who  
13    are physically present at the meeting count toward the  
14    vote. For example, if you have a 7 member Board, but  
15    only 5 attend, the majority is 3 votes (out of 5  
16    present), not 4 (out of 7 total). Your ownership is  
17    then divided amongst the Board Members present at the  
18    meeting. These Board Members will then submit their  
19    voting ballot based upon their vote and not anyone  
20    else's vote.";





1 provided that if the proxy is returned with no box  
2 checked, or if more than one of the foregoing boxes  
3 [~~in subparagraphs (A) through (D)~~] is checked, the  
4 proxy shall be counted for quorum purposes only; and

5 (2) The proxy form shall also contain a box wherein the  
6 owner may indicate that the owner wishes to obtain a  
7 copy of the annual audit report required by section  
8 514B-150."

9 SECTION 4. This Act does not affect rights and duties that  
10 matured, penalties that were incurred, and proceedings that were  
11 begun before its effective date.

12 SECTION 5. Statutory material to be repealed is bracketed  
13 and stricken. New statutory material is underscored.

14 SECTION 6. This Act shall take effect upon its approval.  
15

INTRODUCED BY: \_\_\_\_\_



JAN 22 2026



# H.B. NO. 1834

**Report Title:**

Common Interest Communities; Planned Community Associations;  
Cooperative Housing Corporations; Condominium Associations;  
Proxy Forms; Explanations

**Description:**

Requires common interest community proxy forms to include  
certain language related to the selection options for proxies.

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

