

JAN 21 2026

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-3.2, Hawaii Revised Statutes, is amended to read as follows:

"~~[§]§421J-3.2[§]~~ **Cumulative voting for directors.** (a)
~~[If the association documents provide for cumulative voting by members,]~~ If an election is to be held by cumulative voting pursuant to the association documents, members may so vote, by multiplying the number of votes the members are entitled to cast by the number of positions for whom they are entitled to vote, and ~~[cast the product for a single candidate or distribute the product among two or more candidates.]~~ give all of the votes to one candidate or distribute the individual votes among any or all of the candidates. The candidates receiving the highest number of votes under this section, up to the total number of positions to be filled, shall be deemed elected, and shall be given the longest term.

(b) Unless otherwise provided in the association documents, cumulative voting shall not be permitted.



(c) A director elected by cumulative voting may be removed by the members with or without cause if the requirements of section 421J-3.3 are met.

(d) As used in this section, "candidate" means a nominee or write-in candidate."

SECTION 2. Section 514B-124.5, Hawaii Revised Statutes, is amended to read as follows:

"[+]§514B-124.5[+] Voting for elections; cumulative voting. (a) ~~[If the bylaws provide for cumulative voting for an election at a meeting,]~~ If an election is to be held by cumulative voting pursuant to the bylaws, each unit owner present in person or represented by proxy shall have a number of votes equal to the unit owner's voting percentage multiplied by the number of positions to be filled at the election.

(b) Each unit owner shall be entitled to cumulate the individual votes of the unit owner and give all of the votes to one ~~[nominee]~~ candidate or distribute the votes among any or all of the ~~[nominees.]~~ candidates.

(c) The ~~[nominee or nominees]~~ candidate or candidates receiving the highest number of votes under this section, up to




1 the total number of positions to be filled, shall be deemed
2 elected and shall be given the longest term.

3 (d) This section shall not prevent the filling of
4 vacancies on the board of directors in accordance with this
5 chapter and the association's governing documents.

6 (e) As used in this section, "candidate" means a nominee
7 or write-in candidate."

8 SECTION 3. Statutory material to be repealed is bracketed
9 and stricken. New statutory material is underscored.

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

11
INTRODUCED BY: 



S.B. NO. 2034

Report Title:

Planned Community Associations; Condominium Associations; Board;
Cumulative Voting; Candidates

Description:

Clarifies that a member can distribute each vote they are entitled to among any or all of the candidates for a planned community association or condominium association board election conducted by cumulative voting. Defines "candidate".

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

