

JAN 21 2026

A BILL FOR AN ACT

RELATING TO COMMON INTEREST COMMUNITIES.

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

1 SECTION 1. Section 421J-3.2, Hawaii Revised Statutes, is
2 amended to read as follows:

3 **"[§]S421J-3.2[§] Cumulative voting for directors.** (a)
4 ~~If the association documents provide for cumulative voting by~~
5 ~~members,]~~ If an election is to be held by cumulative voting
6 pursuant to the association documents, members may so vote, by
7 multiplying the number of votes the members are entitled to cast
8 by the number of positions for whom they are entitled to vote,
9 and [east the product for a single candidate or distribute the
10 product among two or more candidates.] give all of the votes to
11 one candidate or distribute the individual votes among any or
12 all of the candidates. The candidates receiving the highest
13 number of votes under this section, up to the total number of
14 positions to be filled, shall be deemed elected, and shall be
15 given the longest term.

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



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

8 "[+]§514B-124.5[+] **Voting for elections; cumulative**

9 **voting.** (a) ~~If the bylaws provide for cumulative voting for~~

10 ~~an election at a meeting,~~] If an election is to be held by

11 cumulative voting pursuant to the bylaws, each unit owner

12 present in person or represented by proxy shall have a number of

13 votes equal to the unit owner's voting percentage multiplied by

14 the number of positions to be filled at the election.

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

19 (c) The [nominee or nominees] candidate or candidates
20 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 Statutory material to be repealed is bracketed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.

