



Learn more about the Real Estate Branch (REB) of the Department of Commerce and Consumer Affairs

Check out the REB website www.hawaii.gov/hirec for more information and some frequently asked questions.

- What services does the REB provide to the condominium community?
- Where can I get help with association disputes?
- What laws apply to my condominium association?
- How do I get a copy of my association documents?
- How do I obtain a real estate license?
- What are the laws and rules for real estate licensees?

Real Estate Branch

About Us

The Real Estate Branch, as part of the Professional and Vocational Licensing Division, assists the Real Estate Commission in carrying out its responsibility for the education, licensure and discipline of real estate licensees; registration of condominium projects, condominium associations, condominium managing agents, and condominium hotel operators; and intervening in court cases involving the real estate recovery fund.

Subscribe

Receive emails on relevant condominium educational materials. Sign up now at <http://cca.hawaii.gov/reb/subscribe/>

Contact Us

Condominium Hotline: 808-586-2644
Hours: 9:00 AM – 3:00 PM
Email: hirec@dcca.hawaii.gov
Web: www.hawaii.gov/hirec

This brochure is for informational purposes only and not intended for the purpose of providing legal advice. Information provided is subject to change.



CONDOMINIUM: 2023 LEGISLATIVE SESSION UPDATE

Real Estate Branch
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CONDOMINIUM:

CONDOMINIUM 2023 LEGISLATIVE SESSION UPDATE

*Real Estate Branch
Department of Commerce and
Consumer Affairs*

July 2023



2023 Legislative Session Update

The 2023 legislative session adjourned with several condominium bills enacted into law. Please consult with legal professionals regarding these new laws. The following descriptions are summarizations of a few Acts meant to provide only general information.



House Bills:

[Act 189, SLH 2023](#), creates two common Interest Development Task forces, one to examine the efficacy of alternative dispute resolution, and another to examine if: (1) the various owner rights in chapter 514B, HRS, should be extended to planned development communities and; (2) if board members should have additional duties and fiduciary responsibilities. Both task forces will report its findings in following sessions and develop appropriate legislation to achieve policy goals.

Senate Bills:

[Act 29, SLH 2023](#), clarifies that an association's legal right of action against their developer cannot be affected sooner

than two years after developer transfers power to their association and ends their control period.

[Act 96, SLH 2023](#), establishes a 99-year low-cost leasehold residential condominium program near transit stations on State land to alleviate the housing crisis.

[Act 149, SLH 2023](#), requires the Hawaii Real Estate Commission to develop a curriculum for board member leadership training, including information on pertinent sections of chapter 514B, association governing documents, and fiduciary duties of board members.

[Act 199, SLH 2023](#), expands the information regarding association budgets and replacement reserves to owners to require a summary detailing the cash or accrual basis, the estimated cost of fire safety equipment, estimated reserve replacement assessments, and an explanation how those estimated reserve replacement assessments are computed following four detailed guidelines.

The Act also defines independent reserve study preparer to mean any "organization, company, or individual with a reserve study certification from an industry organization", and specifies that a managing agent with such certification

is not considered to have a conflict of interest for reviewing that study.

Legislative Process:

Are you interested in the legislative process? Visit the newly redesigned [Hawaii State Legislature website](http://www.capitol.hawaii.gov/) (<http://www.capitol.hawaii.gov/>) for the legislative calendar, legislator contact information, citizen's guide to the legislative process, broadcasts of hearings, bill information, online bill testimony submission, and much more!

The website includes an [archive of Acts and bills from prior sessions](https://www.capitol.hawaii.gov/advreports/main.aspx) (<https://www.capitol.hawaii.gov/advreports/main.aspx>). Users can research bills from prior legislative sessions, view their public testimony, committee reports, and various Senate and House drafts.

The best time to work on new legislation is before the annual legislative session, which runs from January to early May. Contact legislators during the interim time to voice your concerns and work on drafting a bill. See the [legislative calendar](http://www.capitol.hawaii.gov/legal.aspx) (<http://www.capitol.hawaii.gov/legal.aspx>) for more legislative deadlines and dates.