



# Summary of 2019 Legislation Affecting Planned Community Associations

News for Motooka Rosenberg Lau & Oyama Clients

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## **2019 LEGISLATION AFFECTING PLANNED COMMUNITY ASSOCIATIONS**

There were no laws passed during the 2019 session of the Hawaii State Legislature that changed or modified the operations of planned community associations. A few items of note:

### **1. Electronic vehicle charging station rebates**

- Act 142 (HB 1585 HD1 SD2 CD1) Creates a program to offer rebates for installing or upgrading electric vehicle charging systems (“EVCs”). There is a cap of \$500,000 in rebates available each fiscal year. The rebate program will apply to EVCs that are installed or upgraded after December 31, 2019.

### **2. Authority to conduct non-judicial foreclosures**

Act 282 (SB551 SD1 HD2 CD1) clarifies Associations’ power to conduct non-judicial foreclosures whether or not it is specifically stated in the governing documents.

### **3. Miscellaneous**

- Act 283 (SB767 SD1 HD1 CD1) Increases the “handyman exemption” to \$1,500 and excludes everything except labor and materials in calculating the cost. This is the first time the amount has been increased since 1992.

- Act 245 (SB245 HD1 CD1) Allows owners of commercial property to make a complaint for criminal trespass using a copy of the prior written warning rather than producing the original. Criminal trespass can only be charged if a person remains on the property or enters again after a reasonable written warning.

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*NOTE: The current version of Chapter 421J, Hawaii Revised Statutes (Planned Community Associations) is available on our website.*