

# A Bill for an Ordinance Amending Section 19.04.040, Maui County Code, Relating to the Definitions of “Time Share Plan” and “Transient”

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MAUI COUNTY DEPARTMENT OF PLANNING

NOVEMBER 3, 2022

# Purpose of Bill

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1. Amend definition of “time share plan” to increase length of stay to 180 days
2. Revise definition of “transient” to include LLCs and similar organizations
3. Exclude health care providers from definition of “transient”
4. Clarify existing categorical exclusions from the definition of “transient” including other temporary workers, students and military personnel.

These changes are intended to clarify that business entities like LLCs or temporal-use ownership are within the definitions of time share plan and transient, and help alleviate the shortage of health care and other temporary workers.

# Proposed Revisions - Definitions

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## Time share plan

- “Time share plan” means any plan or program in which the use, occupancy, or possession of one or more time share units circulates among various persons for less than a ~~[sixty-day]~~ one hundred eighty-day period in any year, for any occupant.

## Transient

- Add “...person, and any person who uses, possesses, or occupies a property based on an arrangement, schedule, plan, agreement, license or any other means or scheme whereby an owner of the property, or member, partner, owner, trustee, or shareholder of the corporate or limited liability entity that owns the property, receives ownership rights or the right to use the property for a period of less than one hundred eighty days.”
- Add to exclusions ...Health care providers actively engaged in providing medical services within the County, and conservation interns.

# Proposed Revisions – New Definitions

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## Health Care Facility

- “Health care facility” means a private or public institution, place, building, or agency located in the County, used, operated, or designed to provide medical diagnosis, treatment, nursing, rehabilitative, or preventive care to any person.

## Health Care Provider

- “Health care provider” means a physician, osteopathic physician, surgeon, dentist, physician assistant, podiatrist, optometrist, psychologist, nurse, occupational therapist, physical therapist, certified nurse aid, medial assistant, and other health care facility employees or contractors legally authorized to practice medicine and operate within the State.”

*Mahalo!*

## PSLU Committee

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**From:** Jacky Takakura <Jacky.Takakura@co.maui.hi.us>  
**Sent:** Tuesday, November 1, 2022 10:10 AM  
**To:** PSLU Committee  
**Cc:** Michele McLean  
**Subject:** 11/3/2022 PSLU Bill 131 (2022) (PSLU-59)  
**Attachments:** 221103TransientTimeShareHealthCareWorkers.pdf

Good morning

Attached please find PowerPoint PDF for 1st item on 11/3/22 agenda, Bill 131 (2022) relating to definitions of time share plan and transient (PSLU-59).

Thank you

Jacky

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