

---

---

## A BILL FOR AN ACT

RELATING TO ACCESS TO SAFETY DEPOSIT BOXES.

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

1           SECTION 1. The legislature finds that Act 228, Session  
2 Laws of Hawaii 2006, inadvertently repealed section 412:3-115,  
3 Hawaii Revised Statutes, relating to access to safety deposit  
4 boxes. The purpose of this Act is to reinstitute the contents  
5 of section 412:3-115.

6           SECTION 2. Chapter 412, Hawaii Revised Statutes is amended  
7 by adding a new section to article 3 to be appropriately  
8 designated and to read as follows:

9           "§412:3-           Access to safety deposit box. Unless  
10 otherwise provided for in the lease for a safety deposit box,  
11 access to the safety deposit box leased or rented to one or more  
12 persons may be permitted by a financial institution to any  
13 person leasing or renting the safety deposit box, including any  
14 person purporting to be the personal representative, authorized  
15 agent, guardian, trustee, or other fiduciary for the lessee or  
16 renter of the safety deposit box. The provisions of this  
17 section shall apply even though the name of the person appearing  
18 on the financial institution's records as the lessee or renter



1 is modified by a qualifying or descriptive term, such as agent  
 2 or trustee or other word or phrase, indicating that the person  
 3 may not be the lessee or renter of the safety deposit box in the  
 4 person's own right. No financial institution shall be liable  
 5 for any damages or penalty for allowing or refusing access to or  
 6 removal of the contents of the safety deposit box under the  
 7 provisions of this section."

8 SECTION 3. New statutory material is underscored.

9 SECTION 4. This Act shall take effect upon approval.

10

INTRODUCED BY: Kirk Caldwell

*Tommy*  
*Blair*  
*Jim Jones*  
*Calvin H. Boy*  
*J. H. Hunter*

JAN 19 2007



**Report Title:**

Safety Deposit Boxes

**Description:**

Allows access to safety deposit boxes by persons other than the specific individuals who lease or rent the box.

