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# A BILL FOR AN ACT

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RELATING TO SERVICE OF PROCESS.

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

1       SECTION 1. Chapter 421I, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:

4       "**\$421I-**     **Service of process.**   The board of directors of  
5 the corporation shall establish a policy to provide reasonable  
6 access to process servers in compliance with section 634-    ."

7       SECTION 2. Chapter 421J, Hawaii Revised Statutes, is  
8 amended by adding a new section to be appropriately designated  
9 and to read as follows:

10       "**\$421J-**     **Service of process.**   The board shall establish  
11 a policy to provide reasonable access to process servers in  
12 compliance with section 634-    ."

13       SECTION 3. Chapter 514A, Hawaii Revised Statutes, is  
14 amended by adding a new section to be appropriately designated  
15 and to read as follows:

16       "**\$514A-**     **Service of process.**   The board of directors  
17 shall establish a policy to provide reasonable access to process  
18 servers in compliance with section 634-    ."



1 SECTION 4. Chapter 514B, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:

4 "§514B- Service of process. The board shall establish  
5 a policy to provide reasonable access to process servers in  
6 compliance with section 634- ."

7 SECTION 5. Chapter 634, Hawaii Revised Statutes, is  
8 amended by adding a new section to be appropriately designated  
9 and to read as follows:

10 "§634- Service of process within a condominium,  
11 cooperative housing, or planned community. (a) Each board of  
12 directors of an association of apartment owners governed by  
13 chapter 514A or chapter 514B, cooperative housing corporation  
14 governed by chapter 421I, and planned community association  
15 governed by chapter 421J shall establish a policy to provide  
16 reasonable access as specified in subsection (b) to the building  
17 or community to process servers for the purpose of serving any  
18 summons, subpoena, notice, or order on a person identified in  
19 the document being served as residing or staying therein.

20 (b) The policy established pursuant to subsection (a)  
21 shall:



- 1        (1) Allow for access by a process server to a common area  
2        adjacent to a principal entry to the relevant  
3        residence within the building or community;
- 4        (2) Require that, prior to gaining access, the server of  
5        process or other documents shall present clear  
6        personal identification and evidence that the person  
7        is authorized to serve process, including  
8        documentation clearly indicating the precise name and  
9        address, and if applicable, a unit number, of the  
10       resident or person staying on the property to be  
11       served;
- 12       (3) Allow for denial of access to the server of process if  
13       the server of process is not able to produce clear and  
14       credible identification and documentation as required  
15       in paragraph (2); and
- 16       (4) Designate by appropriate title or position an  
17       individual to respond to a request for access,  
18       including but not limited to a resident manager,  
19       building manager located in or reasonably near the  
20       building or community, or other person generally  
21       available to respond to a request for access in a  
22       timely manner, and shall also designate the title or



1           position of at least one alternate individual for such  
2           purpose in the event that the primary designee is not  
3           available.

4           (c) Each board of directors of an association of apartment  
5 owners of a condominium, cooperative housing corporation, or  
6 planned community association shall also identify the designees  
7 specified in subsection (b)(4) in its biennial registration, in  
8 the case of a condominium, or on its annual corporate filing, in  
9 the case of a cooperative housing corporation or a planned  
10 community association, as filed with the department of commerce  
11 and consumer affairs."

12           SECTION 6. The department of commerce and consumer affairs  
13 shall adopt forms, or make adaptations to forms currently in  
14 use, for the purposes of facilitating implementation of this  
15 Act.

16           SECTION 7. New statutory material is underscored.

17           SECTION 8. This Act shall take effect on January 1, 2046.



**Report Title:**

Service of Process; Condominiums; Planned Community  
Associations; Cooperative Housing

**Description:**

Requires condominium associations, planned community  
associations, and cooperative housing corporations to establish  
a policy to designate a representative that is authorized to  
provide entry for a process server. (HB1415 HD1)

