
A BILL FOR AN ACT

RELATING TO THE BUREAU OF CONVEYANCES.

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

1 SECTION 1. The purpose of this Act is to allow the
2 redaction of social security numbers on judgments, decrees, and
3 court orders so that the documents may be recorded at the bureau
4 of conveyances.

5 SECTION 2. Section 501-151, Hawaii Revised Statutes, is
6 amended to read as follows:

7 "**§501-151 Pending actions, judgments; recording of,**
8 **notice.** No writ of entry, action for partition, or any action
9 affecting the title to real property or the use and occupation
10 thereof or the buildings thereon, and no judgment, nor any
11 appeal or other proceeding to vacate or reverse any judgment,
12 shall have any effect upon registered land as against persons
13 other than the parties thereto, unless a full memorandum
14 thereof, containing also a reference to the number of
15 certificate of title of the land affected is filed or recorded
16 and registered. Except as otherwise provided, every judgment
17 shall contain or have endorsed on it the State of Hawaii general

1 excise taxpayer identification number, the federal employer
2 identification number, or the last four digits only of the
3 social security number for persons, corporations, partnerships,
4 or other entities against whom the judgment is rendered. If the
5 judgment debtor has no social security number, State of Hawaii
6 general excise taxpayer identification number, or federal
7 employer identification number, or if that information is not in
8 the possession of the party seeking registration of the
9 judgment, the judgment shall be accompanied by a certificate
10 that provides that the information does not exist or is not in
11 the possession of the party seeking registration of the
12 judgment. Failure to disclose or disclosure of an incorrect
13 social security number, State of Hawaii general excise taxpayer
14 identification number, or federal employer identification number
15 shall not in any way adversely affect or impair the lien created
16 upon recording of the judgment. This section does not apply to
17 attachments, levies of execution, or to proceedings for the
18 probate of wills, or for administration in a probate court;
19 provided that in case notice of the pendency of the action has
20 been duly registered it is sufficient to register the judgment
21 in the action within sixty days after the rendition thereof.

1 As used in this chapter "judgment" includes an order or
2 decree having the effect of a judgment.

3 Notice of the pendency of an action in a United States
4 District Court, as well as a court of the State of Hawaii, may
5 be recorded.

6 The party seeking registration of a judgment shall redact
7 the first five digits of any social security number by blocking
8 the numbers out on the copy of the judgment to be filed or
9 recorded."

10 SECTION 3. Section 502-33, Hawaii Revised Statutes, is
11 amended to read as follows:

12 **"§502-33 Identification of reference to registration of**
13 **original.** The registrar shall not record any instrument
14 requiring a reference to a prior recorded instrument, unless the
15 same contains a reference to the book and page or document
16 number of the registration of the original recorded instrument
17 or a statement that the original instrument is unrecorded, as
18 the case may be. Except as otherwise provided, every judgment
19 shall contain or have endorsed on it the State of Hawaii general
20 excise taxpayer identification number, the federal employer
21 identification number, or the last four digits only of the
22 social security number for persons, corporations, partnerships,

1 or other entities against whom the judgment is rendered. If the
2 judgment debtor has no social security number, State of Hawaii
3 general excise taxpayer identification number, or federal
4 employer identification number, or if that information is not in
5 the possession of the party seeking registration of the
6 judgment, the judgment shall be accompanied by a certificate
7 that provides that the information does not exist or is not in
8 the possession of the party seeking registration of the
9 judgment. Failure to disclose or disclosure of an incorrect
10 social security number, State of Hawaii general excise taxpayer
11 identification number, or federal employer identification number
12 shall not in any way adversely affect or impair the lien created
13 upon registration of the judgment. No amendment, continuation
14 statement, termination statement, statement of assignment, or
15 statement of release relating to security interests in goods
16 which are or are to become fixtures shall be filed unless it
17 complies with the requirements of part 5 of Article 9 of the
18 Uniform Commercial Code. This section does not apply to any
19 document mentioned herein executed prior to April 13, 1915.

20 The party seeking registration of a judgment shall redact
21 the first five digits of any social security number by blocking

1 the numbers out on the copy of the judgment to be filed or
2 recorded."

3 SECTION 4. Section 636-3, Hawaii Revised Statutes, is
4 amended to read as follows:

5 **"§636-3 Judgment, orders, decrees; lien when.** Any money
6 judgment, order, or decree of a state court or the United States
7 District Court for the District of Hawaii shall be a lien upon
8 real property when a copy thereof, certified as correct by a
9 clerk of the court where it is entered, is recorded in the
10 bureau of conveyances. No such lien shall continue beyond the
11 length of time the underlying judgment, order, or decree is in
12 force. Except as otherwise provided, every judgment shall
13 contain or have endorsed on it the Hawaii tax identification
14 number, the federal employer identification number, or the last
15 four digits only of the social security number for persons,
16 corporations, partnerships, or other entities against whom the
17 judgment, order, or decree is rendered. If the debtor has no
18 social security number, Hawaii tax identification number, or
19 federal employer identification number, or if that information
20 is not in the possession of the party seeking registration of
21 the judgment, order, or decree, the judgment, order, or decree
22 shall be accompanied by a certificate that provides that the

1 information does not exist or is not in the possession of the
2 party seeking recordation of the judgment. Failure to disclose
3 or disclosure of an incorrect social security number, Hawaii tax
4 identification number, or federal employer identification number
5 shall not in any way adversely affect or impair the lien created
6 upon recordation of the judgment, order, or decree. When any
7 judgment, order, or decree is fully paid, the creditor or the
8 creditor's attorney of record in the action shall, at the
9 expense of the debtor, execute, acknowledge, and deliver to the
10 debtor a satisfaction thereof, which may be recorded in the
11 bureau. Every satisfaction or assignment of judgment, order, or
12 decree shall contain a reference to the book and page or
13 document number of the registration of the original judgment.
14 The recording fees for a judgment, order, or decree and for each
15 assignment or satisfaction of judgment, order, or decree shall
16 be as provided by section 502-25.

17 In the case of registered land, section 501-102 and
18 sections 501-241 to 501-248 shall govern.

19 The party seeking to record or register a judgment, order,
20 or decree shall redact the first five digits of any social
21 security number by blocking the numbers out on the copy of the
22 judgment, order, or decree to be recorded or registered."

- 1 SECTION 5. New statutory material is underscored.
- 2 SECTION 6. This Act shall take effect upon its approval.

Report Title:

Bureau of Conveyances; Social Security Numbers; Land Court

Description:

Requires the redaction of the first five digits of the social security numbers on judgments, decrees, and court orders when filing at the bureau of conveyances and land court. (SD2)