STAND. COM. REP. NO. 912

Honolulu, Hawaii

Marchi

2013

RE: H.B. No. 1280

H.D. 2

Honorable Joseph M. Souki Speaker, House of Representatives Twenty-Seventh State Legislature Regular Session of 2013 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1280, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO PUBLIC SAFETY,"

begs leave to report as follows:

The purpose of this measure is to more clearly define and delineate the duties and responsibilities of process servers, including by examining ways of licensing and registering process servers by requiring the Department of Public Safety to convene a working group to:

- (1) Define and delineate process server duties and responsibilities;
- (2) Create a registration process for process servers;
- (3) Examine the licensing requirements of and jurisdictional concerns with the private process server industry in the State; and
- (4) Address other relevant issues.

The Hawai'i State Judiciary, Department of Public Safety, and a concerned individual supported this measure.

Your Committee has amended this measure by:

- (1) Authorizing the Director of Public Safety to maintain a list of independent civil process servers authorized to process specified writs and other orders and documents;
- (2) Shielding the Department of Public Safety and the State from responsibility or liability for the conduct of any independent civil process server placed on the list;
- (3) Specifying that an independent civil process server placed on the Department of Public Safety's list shall not be considered a law enforcement officer, sheriff or deputy sheriff, or employee or agent of the State; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1280, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1280, H.D. 2.

Respectfully submitted on behalf of the members of the Committee on Judiciary,

KARL RHOADS, Chair



State of Hawaii House of Representatives The Twenty-seventh Legislature

Record of Votes of the Committee on Judiciary

Bill/Resolution No.: HB1280, HD1	Committee Referral: PBS, JUD	Date:	2/26/13	
☐ The committee is reconsidering its previous decision on the measure.				
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to ecommit for future public hearing (recommit)				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. RHOADS, Karl (C)	X			
2. HAR, Sharon E. (VC)				
3. BELATTI, Della Au	X			
4. BROWER, Tom	X			
5. CABANILLA, Rida T.R.				×
6. CARROLL, Mele				.}
7. ITO, Ken	X			
8. KAWAKAMI, Derek S.K.				
9. LEE, Chris	X			
10. TSUJI, Clift	X X			
11. WOOLEY, Jessica				χ
12. MCDERMOTT, Bob	<u> </u>			
13. THIELEN, Cynthia	Ý			
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TOTAL (13)	lo.			3
The recommendation is: If joint referral, did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature:				
Distribution: Original (White) Committee Duplicate (Yellow) Chief Clerk's Office Duplicate (Pink) HMSO				