
A BILL FOR AN ACT

RELATING TO FEES.

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

1 SECTION 1. The legislature finds that the mileage fee for
2 the service of summonses and subpoenas has been limited by
3 statute since 2001 to 40 cents per mile. The average price of
4 gasoline in Hawaii was less than \$2 per gallon in 2001, but has
5 since increased to more than \$4 per gallon.

6 The purpose of this Act is to increase the mileage fee to
7 reflect the higher cost of gasoline and thus the higher cost of
8 effecting service of summonses and subpoenas.

9 SECTION 2. Section 607-8, Hawaii Revised Statutes, is
10 amended by amending subsection (a) to read as follows:

11 "(a) For all necessary travel in making the service, per
12 mile for every mile more than one...[40] 60 cents provided that:

13 (1) No allowance shall be made where the serving
14 individual uses a conveyance furnished the serving
15 individual by the State, or any political or municipal
16 subdivision thereof;

17 (2) Where the serving individual serves more than one
18 person in the course of one trip, the serving



1 individual shall not charge, in the aggregate for all
 2 services more than the mileage for the entire trip;
 3 and

4 (3) As far as practicable, in order to minimize the
 5 mileage fees for the service, the sheriff or other
 6 chief of the serving officers, or other person
 7 authorized by the rules of court where service of
 8 process is to be made upon an island other than that
 9 upon which is situated the court issuing the process,
 10 shall cause the process to be transmitted to the
 11 sheriff, deputy sheriff, the chief of police, other
 12 person authorized by the rules of court, or other
 13 serving individual upon the island of service who
 14 shall make the service upon receipt of the process;
 15 and the service shall be valid, notwithstanding that
 16 the process may not be addressed to the individual
 17 actually making the service or to the individual's
 18 superior.

19 For serving criminal summons or any other criminal process
 20 except a subpoena, for each person served therewith
 21 \$30 effective July 1, 2001. Service of
 22 criminal summons or any other criminal process shall be made



1 only by persons authorized to serve criminal summons in
2 accordance with rules of court.

3 For serving civil summons or any other civil process,
4 except a subpoena or a garnishee summons, for each person
5 served therewith \$25 effective July 1,
6 2001.

7 For serving: subpoena, for each person, \$25; and
8 subpoena duces tecum or garnishee summons, for each
9 person \$15 effective July 1, 2001.

10 For returning as unserved after due and diligent search any
11 process when it has been found that the person to be served has
12 left the State \$5 effective July 1, 2001.

13 For serving any execution or other process for the
14 collection of money, for every dollar collected up
15 to \$1,000 5 cents.

16 And for every dollar over \$1,000 2-1/2 cents.

17 All fees paid to any printer for publishing an
18 advertisement of the sale of any property.

19 For every bill of sale \$2.

20 For executing and acknowledging a deed pursuant to a
21 sale of real estate to be paid by the grantee in the
22 deed..... \$8.



1 For drawing any bond required by law..... \$2.

2 For serving writ of possession or restitution,
3 putting any person entitled into the possession of
4 premises, and removing a tenant pursuant to order of
5 court..... \$25.

6 Together with all necessary expenses incurred by the
7 individual serving the writ, incident to the eviction.

8 For selling any property on an order from the court other
9 than an execution, the same allowance as for service and sales
10 by execution.

11 The fees for service of executions, attachments, and
12 collection of judgments, together with all costs incurred after
13 judgment rendered, not included in the judgment, in all courts
14 of the State, shall be collected in addition to the sum directed
15 to be levied and collected in the writ.

16 In lieu of any fee under this subsection, the fee may be an
17 hourly rate of not less than \$50 per hour agreed upon in advance
18 between the party requesting the service and the sheriff, deputy
19 sheriff, police officer, or other person authorized by the rules
20 of court performing the service."

21 SECTION 3. Statutory material to be repealed is bracketed
22 and stricken. New statutory material is underscored.

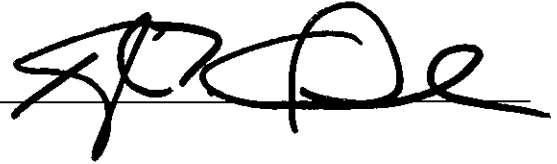


H.B. NO. 2140

1 SECTION 4. This Act shall take effect upon its approval.

2

INTRODUCED BY:

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JAN 21 2014



H.B. NO. 2140

Report Title:

Fees; Mileage; Reimbursement

Description:

Increases the mileage fee for process servers from 40 cents to 60 cents per mile for all necessary travel in making the service.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

