STAND. COM. REP. NO. 2047

Honolulu, Hawaii

FEB 0 3 2014

RE: S.B. No. 2072

Honorable Donna Mercado Kim President of the Senate Twenty-Seventh State Legislature Regular Session of 2014 State of Hawaii

Madam:

Your Committee on Judiciary and Labor, to which was referred S.B. No. 2072 entitled:

"A BILL FOR AN ACT RELATING TO SERVICE OF PROCESS,"

begs leave to report as follows:

The purpose and intent of this measure is to specify the manner of serving a summons within the State for a civil action.

Your Committee received testimony in support of this measure from the Department of Public Safety, Hawaii Financial Services Association, Hawaii Bankers Association, Hawaii Credit Union League, and Collection Law Section of the Hawaii State Bar Association.

Your Committee finds that a summons is a notice that is attached to a civil complaint filed by a plaintiff against a defendant. A summons will either require a defendant to file a written answer to the complaint within twenty days after service of the summons or appear in court on a date and time specified to answer the complaint. However, service of process laws do not provide for the service of a summons by certified, registered, or express mail in all types of civil actions when the defendant cannot be personally served. This measure provides a comprehensive and consistent approach for service of summons in these situations by specifying the manner of serving a summons within the State for a civil action, thereby ensuring that the due process rights of the defendants and the interests of the plaintiffs are satisfied in a timely and accountable manner.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2072 and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

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

Labor,

CLAYTON HEE, Chair

The Senate Twenty-Seventh Legislature State of Hawai'i

Record of Votes Committee on Judiciary and Labor JDL

Bill / Resolution No.:*	Committee Referral:			Date:	
SB 2072	JDL			01-24-14	
The committee is reconsidering its previous decision on this measure.					
If so, then the previous decision was to:					
The Recommendation is:					
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313					
Members		Aye	Aye (WR)	Nay	Excused
HEE, Clayton (C)		V			
SHIMABUKURO, Maile S.L. (VC)		V			·
GABBARD, Mike					
GALUTERIA, Brickwood					
IHARA, Jr., Les					
SOLOMON, Malama					
SLOM, Sam		V			
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		<u> </u>			
TOTAL		6			/
Recommendation: Adopted			Not Adopted		
Chair's or Designee's Signature:					
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy					

*Only one measure per Record of Votes

Revised: 07/01/13