STAND. COM. REP. NO. 626

Honolulu, Hawaii

## MAR 0 5 2015

RE: S.B. No. 134 S.D. 2

Honorable Donna Mercado Kim President of the Senate Twenty-Eighth State Legislature Regular Session of 2015 State of Hawaii

## Madam:

Your Committee on Judiciary and Labor, to which was referred S.B. No. 134, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO PARTITION OF HEIRS PROPERTY," begs leave to report as follows:

The purpose and intent of this measure is to adopt the Uniform Partition of Heirs Property Act, which establishes procedures and remedies applicable to actions for partition of real property that is heirs property.

Your Committee received testimony in support of this measure from the Commission to Promote Uniform Legislation.

Your Committee finds that this Uniform Partition of Heirs Property Act is intended to provide procedures and remedies in partition actions involving real property held in tenancy in common for which there is no binding agreement among the cotenants to govern the partition of the property. Your Committee notes the testimony of the Commission to Promote Uniform Legislation that this measure is intended to provide cotenants with many of the protections and rights commonly found in private agreements governing the partition of real property held by tenants-in-common and that this measure is not intended to replace existing law on partitioning property that is not heirs property.

Your Committee has amended this measure by making technical, nonsubstantive amendments for the purposes of clarity and consistency.

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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. 134, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 134, S.D. 2.

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

GILBERT S.C. KEITH-AGARAN, Chair

## The Senate Twenty-Eighth Legislature State of Hawai'i

## Record of Votes Committee on Judiciary and Labor JDL

Bill / Resolution No.:*	Committee Referral:		Date: / /		
SB134 SD1	CPN, JDL		2/25/15		
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
KEITH-AGARAN, Gilbert S.C. (C)					
SHIMABUKURO, Maile S.L. (VC)		V			
ESPERO, Will		~			
GABBARD, Mike					
IHARA, Jr., Les		V			
THIELEN, Laura H.		~			
SLOM, Sam					
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TOTAL		5			0
Recommendation:  Adopted Not Adopted					
Chair's or Designee's Signature:					
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<sup>\*</sup>Only one measure per Record of Votes