

Honolulu, Hawaii April C , 2015 RE: S.B. No. 214 S.D. 1 H.D. 1

Honorable Joseph M. Souki Speaker, House of Representatives Twenty-Eighth State Legislature Regular Session of 2015 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 214, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE SMALL CLAIMS DIVISION OF THE DISTRICT COURT,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Establish exclusive jurisdiction of the Small Claims Division of the District Court over cases for the recovery of money in which the amount claimed is \$1,000 or less, exclusive of interest and costs; and
- (2) Expand the jurisdiction of the Small Claims Division to any personal property worth \$5,000 or less.

The Judiciary testified in support of this measure. The Hawaii State Bar Association Collection Law Section and Financial Services Association testified in opposition and recommended amendments.

Your Committee has amended this measure to:

 Amend section 633-27, Hawaii Revised Statutes, by making technical, nonsubstantive conforming amendments for clarity, consistency, and style; and

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(2) Make this measure take effect on its approval.

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 S.B. No. 214, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 214, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

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

KARL RHOADS, Chair



State of Hawaii House of Representatives The Twenty-eighth Legislature **HSCR 1365**

Record of Votes of the Committee on Judiciary

| | ee Referral: VD | Date: | 3 31 15 | |
|--|--------------------|-----------|---------|---------------------------------------|
| The committee is reconsidering its previous decision on the measure. | | | | |
| The recommendation is to: Image: Pass, unamended (as is) Pass, with amendments (HD) Image: Hold Image: Pass short form bill with HD to recommit for future public hearing (recommit) | | | | |
| JUD Members | Ayes | Ayes (WR) | Nays | Excused |
| 1. RHOADS, Karl (C) | | | | K |
| 2. SAN BUENAVENTURA, Joy A. (VC) | \langle | | | |
| 3. BELATTI, Della Au | | | | |
| 4. BROWER, Tom | \sim | | | |
| 5. CREAGAN, Richard P. | | | | |
| 6. HASHEM, Mark J. | | | | |
| 7. KAWAKAMI, Derek S.K. | | | | , |
| 8. LEE, Chris | | | | |
| 9. MORIKAWA, Dee | | | | |
| 10. NAKASHIMA, Mark M. | | | | |
| 11. TAKAYAMA, Gregg | | | | |
| 12. WOODSON, Justin H. | | | | |
| 13. McDERMOTT, Bob | | | | |
| 14. THIELEN, Cynthia | | _ | | |
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| TOTAL (14) | 13 | | | |
| The recommendation is: Adopted Interference If joint referral, | | | | |
| Vice Chair's or designee's signature: | | | | |
| Distribution: Original (White) – Committee Dupligate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO | | | | |