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GOVERNOR OF
HAWAII



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LAND
STATE PARKS

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

DEPT. COMM. NO. 124

December 18, 2017

The Honorable Ronald D. Kouchi,
President
and Members of the Senate
Twenty-Ninth State Legislature
State Capitol, Room 409
Honolulu, Hawaii 96813

The Honorable Scott K. Saiki, Speaker
and Members of the House of
Representatives
Twenty-Ninth State Legislature
State Capitol, Room 431
Honolulu, Hawaii 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

For your information and consideration, I am transmitting a copy of the Operations of the Filing Office For Financing Statements Under the Uniform Commercial Code, Secured Transaction (Revised Article 9) report, as required by Section 490:9-527, Hawaii Revised Statutes (HRS). In accordance with Section 93-16, HRS, a copy of this report has been transmitted to the Legislative Reference Bureau and the report may be viewed electronically at <http://dlnr.hawaii.gov/reports/>.

Sincerely,

A handwritten signature in black ink, appearing to read "Suzanne D. Case".

SUZANNE D. CASE
Chairperson

Enclosure

REPORT TO THE NINTH LEGISLATURE
STATE OF HAWAII
2018 REGULAR SESSION

**OPERATIONS OF THE
FILING OFFICE FOR FINANCING STATEMENTS
UNDER THE UNIFORM COMMERCIAL CODE,
SECURED TRANSACTIONS (REVISED ARTICLE 9)**



Prepared by the

Department of Land and Natural Resources
State of Hawaii

In response to
Section 490:9-527, Hawaii Revised Statutes

December 2017

**OPERATIONS OF THE
FILING OFFICE FOR FINANCING STATEMENTS
UNDER THE UNIFORM COMMERCIAL CODE,
SECURED TRANSACTIONS (REVISED ARTICLE 9)**

INTRODUCTION

This report is prepared in compliance with Section 490:9-527, Hawaii Revised Statutes, on the operations of the Filing Office under the Uniform Commercial Code (UCC), Secured Transactions (Revised Article 9). The Bureau of Conveyances (Bureau) of the Department of Land and Natural Resources has been designated as the State of Hawaii's Filing Office for the purposes of the Revised Article 9.

STATUS

The Bureau has been accepting for filing UCC instruments pursuant to provisions of the Revised Article 9 effective July 1, 2001 and revisions effective July 1, 2015.

Search criteria and structure of operations for filing offices differ from state to state. The objective is to try to bring Hawaii's procedures and rules in harmony with all jurisdictions as well as coincide with the provisions of the Revised Article 9, the most recent version of the Model Rules promulgated by the International Association of Commercial Administrators. The Bureau has been reviewing drafts of Model Rules promulgated by the International Association of Corporate Administrators and rules of other jurisdictions to help in the development of a new set of rules covering the Revised Article 9 of the UCC.

A draft of said rules has been sent to the Department of the Attorney General (AG) for review and approval as to form. The Department has received the comments from the AG and is in the process of incorporating the comments into draft rules. The Department already moved forward with critical rule changes affecting its operations, updating for statutory changes enacted since 2009 and incorporating long overdue fee increases. The Department will continue work on the draft rules incorporating the Revised Article 9 UCC update so they can be presented during the same public hearings process for the next set of Bureau rules and fee updates.