

STAND. COM. REP. NO.

3036

Honolulu, Hawaii

MAR 21 2018

RE: H.B. No. 2033
H.D. 1
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Regular Session of 2018
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B.
No. 2033, H.D. 1, entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to authorize service of summons on nonresident property owners for actions involving the property owned by the nonresident through a summons mailed to the mailing address on record with the real property tax office in the county in which the property is located.

Your Committee received testimony in support of this measure from one individual.

Your Committee finds that a significant amount of real property in Hawaii is owned by nonresidents of the State. When problems arise concerning the real property owned by nonresidents, those owners are frequently difficult or impossible to properly serve with summons and, as a result, the process of remedying those problems cannot proceed. This measure will allow issues concerning real property owned by nonresidents of the State to be more efficiently and effectively resolved.

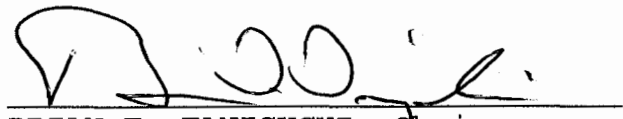
Your Committee has amended this measure by:



- (1) Removing language amending section 634-36, Hawaii Revised Statutes, to authorize service on nonresident property owners through a summons mailed to the mailing address on record with the real property tax office in the county in which the property is located and instead inserting language establishing a new section within chapter 634, Hawaii Revised Statutes, with substantially identical provisions;
- (2) Inserting an effective date of July 1, 2035, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

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 H.B. No. 2033, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2033, H.D. 1, S.D. 1, and be placed on the calendar for Third Reading.

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


BRIAN T. TANIGUCHI, Chair



The Senate
Twenty-Ninth Legislature
State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:* <i>HB 2033, HDI</i>	Committee Referral: <i>JDC</i>	Date: <i>3/15/18</i>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="text-align: center;"> <input type="checkbox"/> Pass, unamended 2312 </div> <div style="text-align: center;"> <input checked="" type="checkbox"/> Pass, with amendments 2311 </div> <div style="text-align: center;"> <input type="checkbox"/> Hold 2310 </div> <div style="text-align: center;"> <input type="checkbox"/> Recommit 2313 </div> </div>				
Members	Aye	Aye (WR)	Nay	Excused
TANIGUCHI, Brian T. (C)	✓			
RHOADS, Karl (VC)	✓			
GABBARD, Mike				✓
KIM, Donna Mercado	✓			
THIELEN, Laura H.	✓			
TOTAL	<i>4</i>	<i>0</i>	<i>0</i>	<i>1</i>
Recommendation: <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted </div>				
Chair's or Designee's Signature: <i>Karl Rhoads</i>				
<div style="display: flex; justify-content: space-between; font-size: small;"> <div>Distribution:</div> <div>Original</div> <div>Yellow</div> <div>Pink</div> <div>Goldenrod</div> </div> <div style="display: flex; justify-content: space-between; font-size: x-small; margin-top: 2px;"> <div>File with Committee Report</div> <div>Clerk's Office</div> <div>Drafting Agency</div> <div>Committee File Copy</div> </div>				

*Only one measure per Record of Votes