STAND. COM. REP. NO. 1015

Honolulu, Hawaii

MAR 19 , 2021

RE: S.B. No. 385

S.D. 1 H.D. 1

Honorable Scott K. Saiki Speaker, House of Representatives Thirty-First State Legislature Regular Session of 2021 State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred S.B. No. 385, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE UNIFORM TRUST CODE," begs leave to report as follows:

The purpose of this measure is to:

- (1) Enact the 2018 Uniform Trust Code with appropriate amendments to reflect Hawaii law and practice; and
- (2) Repeal the Uniform Trustees' Powers Act, Uniform Prudent Investor Act, and laws regarding trust administration under the Uniform Probate Code.

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

Your Committee finds that this measure will update Hawaii statutes relating to trusts and bring them under one comprehensive umbrella, which will significantly reduce the time, complexity, and expense of trust proceedings.

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

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 385, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 385, S.D. 1, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Respectfully submitted on behalf of the members of the Committee on Judiciary & Hawaiian Affairs,

Mark M. NAKASHIMA, Chair

State of Hawaii



Record of Votes of the Committee on Judiciary & Hawaiian Affairs

Bill/Resolution No.:	Committee Referral:	Date: 3-16-21		
SB 385 SD 1 JHA, CPC, FIN 3 16 & 1				
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit)				
JHA Members	Ayes	Ayes (WR)	Nays	Excused
1. NAKASHIMA, Mark M. (C)				
		ALERA SERVICE		
2. MATAYOSHI, Scot Z. (VC)		\$20,313,100 pt		
3. ICHIYAMA, Linda			-100 150-	
4. KOBAYASHI, Dale T.				
5. LoPRESTI, Matthew S.				San and Jan Wanted
6. LOWEN, Nicole E.				
	BUTTON STREET, NO. 15 A.			
7. McKELVEY, Angus L.K.				
8. NAKAMURA, Nadine K.				
9. TAKUMI, Roy M.				
10. TODD, Chris				
10. 10DD, Chris		REAL PROPERTY.		
11. TOKIOKA, James Kunane	V		Charles and Charles	
12. WARD, Gene				=
				Y
TOTAL (12)	11	Ø	\$	1
The recommendation is: Adopted If joint referral, did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature:				
Distribution: Original (White) - Committee Duplicate (Yellow) - Chief Clerk's Office Duplicate (Pink) - HMSO				