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## A BILL FOR AN ACT

RELATING TO THE JUDICIARY.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1       SECTION 1. Section 604-5, Hawaii Revised Statutes, is  
2 amended by amending subsection (b) to read as follows:

3       "(b) The district courts shall try and determine all  
4 actions without a jury, subject to appeal according to law.  
5 Whenever a civil matter is triable of right by a jury and trial  
6 by jury is demanded in the manner and within the time provided  
7 by the rules of court, the case shall be transferred to the  
8 circuit court. If the demand is made in the complaint and the  
9 matter is triable of right by a jury, the action may be  
10 commenced in the circuit court if the amount in controversy  
11 exceeds [~~\$5,000.~~] \$10,000."

12       SECTION 2. Section 604-6.1, Hawaii Revised Statutes, is  
13 amended to read as follows:

14       "**\$604-6.1 Jurisdiction of district courts; leased or**  
15 **rented personal property.** Jurisdiction is conferred upon the  
16 district courts to try all cases resulting from the retention of



1 leased or rented personal property, the value of which does not  
2 exceed [~~\$5,000.~~] \$10,000."

3 SECTION 3. Section 633-27, Hawaii Revised Statutes, is  
4 amended by amending subsection (a) to read as follows:

5 "(a) All district courts, except as otherwise provided,  
6 shall exercise jurisdiction conferred by this chapter, and while  
7 sitting in the exercise of that jurisdiction, shall be known and  
8 referred to as the small claims division of the district court;  
9 provided that the jurisdiction of the court when sitting as a  
10 small claims division of the district court shall be confined  
11 to:

12 (1) Cases for the recovery of money only where the amount  
13 claimed does not exceed [~~\$5,000~~] \$10,000 exclusive of  
14 interest and costs, except as provided by section  
15 633-30;

16 (2) Cases involving disagreement between landlord and  
17 tenant about the security deposit in a residential  
18 landlord-tenant relationship; and

19 (3) Cases for the return of leased or rented personal  
20 property worth less than [~~\$5,000~~] \$10,000 where the



1           amount claimed owed for that lease or rental is less  
2           than [~~\$5,000~~] \$10,000 exclusive of interest and costs.  
3 This chapter shall not abridge or affect the jurisdiction of the  
4 district courts under paragraphs (1) and (3) to determine cases  
5 under the ordinary procedures of the court, it being optional  
6 with the plaintiff in the cases to elect the procedure of the  
7 small claims division of the district court or the ordinary  
8 procedures, as provided by rule of court. No case filed in the  
9 small claims division after December 31, 1991, shall be removed  
10 from the small claims division to be heard under the ordinary  
11 procedures of the district court unless the removal is agreed to  
12 by the plaintiff. In cases arising under paragraph (2), the  
13 jurisdiction of the small claims division of the district court  
14 shall be exclusive; provided that the district court, having  
15 jurisdiction over a civil action involving summary possession,  
16 shall have concurrent jurisdiction with the small claims  
17 division of the district court over any security deposit dispute  
18 between landlord and tenant in a residential landlord-tenant  
19 relationship. This subsection shall not abrogate or supersede  
20 sections 604-5, 633-30, and 633-31."

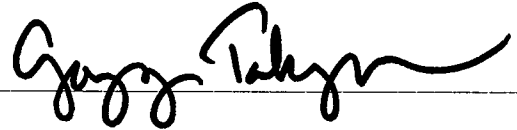


# H.B. NO. 2223

1       SECTION 4. Statutory material to be repealed is bracketed  
2 and stricken. New statutory material is underscored.

3       SECTION 5. This Act shall take effect on January 1, 2023.  
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INTRODUCED BY:

A handwritten signature in black ink, appearing to read "Gary Taylor", is written over a horizontal line.

JAN 25 2022



# H.B. NO. 2223

**Report Title:**

Judiciary; Small Claims Division; Jurisdiction

**Description:**

Increases the maximum monetary claim and maximum amount for certain cases that may be filed in the small claims division of the district court from \$5,000 to \$10,000.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

