

STAND. COM. REP. NO.

1759

Honolulu, Hawaii

MAR 21 , 2023

RE: S.B. No. 483  
S.D. 1  
H.D. 1

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirty-Second State Legislature  
Regular Session of 2023  
State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred S.B. No. 483, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE UNIFORM PROBATE CODE,"

begs leave to report as follows:

The purpose of this measure is to update the Uniform Probate Code to reflect Hawaii law and practice.

Your Committee received testimony in support of this measure from the Judiciary and Commission to Promote Uniform Laws. Your Committee received comments on this measure from one individual.

Your Committee finds that the Uniform Probate Code is a national codification of law that provides clarity and uniformity in probate law and interpretation. Your Committee further finds that it has been nearly thirty years since the Uniform Probate Code was last updated in Hawaii. This measure would provide necessary updates to adjust for inflation, provide additional clarity, resolve issues that have arisen in probate practice, and address societal changes in familial relations.

Your Committee has amended this measure by:

2023-2629 SB483 HD1 HSCR HMSO



- (1) Defining "probate proceeding" under the Uniform Probate Code;
- (2) Deleting language that would have allowed a supervised administration seeking an adjudication of intestacy to be commenced under certain conditions and circumstances if there had been a prior probate proceeding;
- (3) Clarifying that the authenticated copy of a will probated, filed, deposited, or lodged in another jurisdiction that may accompany an application for informal probate of a will must be an authenticated copy of an original will; and
- (4) 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. 483, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 483, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

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



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DAVID A. TARNAS, Chair



