

Honolulu, Hawaii

FEB 06 2025

RE: S.B. No. 115
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Third State Legislature
Regular Session of 2025
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 115 entitled:

"A BILL FOR AN ACT RELATING TO ATTACHMENT AND EXECUTION OF REAL PROPERTY,"

begs leave to report as follows:

The purpose and intent of this measure is to increase the real property exemption amount for attachment or execution.

Your Committee received testimony in support of this measure from three individuals.

Your Committee received comments on this measure from the Hawaii Financial Services Association, Hawaii Credit Union League, Mortgage Bankers Association of Hawaii, Collection Law Section of the Hawaii State Bar Association, and Hawaii Bankers Association.

Your Committee finds that the Legislature has not increased the real property exemption amount from attachment or execution since 1978. Your Committee also finds that in that time, inflation has risen by three hundred percent, with housing prices rising even more than overall inflation. Therefore, given the length of time since the last increase, your Committee believes that an increase in the real property exemption amount from attachment and execution up to current valuation standards is warranted. Your Committee also finds that the increased amount



for all classes should be \$90,000, for simplicity, and to reflect the fact that housing prices have risen faster than inflation.

Your Committee additionally finds that the existing definition of "head of a family" for purposes of attachment or execution uses outdated, gendered language which should be updated.

Accordingly, your Committee has amended this measure by:

- (1) Updating the definition of "head of a family" to be gender-neutral;
- (2) Increasing the real property exemption amount from attachment and execution for a defendant who is not the head of a family or sixty-five years of age or older to \$90,000; 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 S.B. No. 115, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 115, S.D. 1, and be referred to your Committee on Ways and Means.

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



KARL RHOADS, Chair



