

JAN 23 2026

A BILL FOR AN ACT

RELATING TO NOTARIES PUBLIC.

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

SECTION 1. Chapter 502, Hawaii Revised Statutes, is amended by adding two new sections to part V to be appropriately designated and to read as follows:

"§502-A Fraudulent notarial acts voidable. The bureau of conveyances shall void any recorded deed or interest in real property that contains a fraudulent notarial act or seal if the purported notary public whose notarial act or seal was fraudulently used attests to the bureau of conveyances that the notarial act or seal was fraudulently administered, authorized, or authenticated.

§502-B Notice of attempted recording; suspension of recording. The bureau of conveyances shall allow a holder of title to real property to suspend the recording of any written instrument affecting the title, except liens or judgments against the subject real property or the title holder, until the title holder releases the suspension. For real property title that is suspended, the bureau of conveyances shall notify any



1 holder of title to real property of any attempt to record a
2 written instrument affecting the title. This suspension shall
3 be lifted automatically if the real property is foreclosed
4 upon."

5 SECTION 2. Section 456-26, Hawaii Revised Statutes, is
6 amended to read as follows:

7 "[~~f~~]**\$456-26[~~f~~]** **Validity of notarial acts.** Except as
8 otherwise provided in [~~section~~] sections 456-14(b) [~~7~~] and 502-A,
9 the failure of a notary public to perform a duty or meet a
10 requirement specified in this chapter does not validate or
11 invalidate a notarial act performed by the notary public. The
12 validity of a notarial act under this chapter does not prevent
13 an aggrieved person from seeking to invalidate the document or
14 transaction that is the subject of the notarial act or from
15 seeking other remedies based on the laws of this State other
16 than this chapter or based on the laws of the United States.
17 This section shall not be deemed to validate a purported
18 notarial act performed by a person who does not have the
19 authority to perform notarial acts."

20 SECTION 3. In codifying the new sections added by
21 section 1 of this Act, the revisor of statutes shall substitute



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1 appropriate section numbers for the letters used in designating
2 the new sections in this Act.

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

5 SECTION 5. This Act shall take effect upon its approval.

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INTRODUCED BY: 



S.B. NO. 2782

Report Title:

Notary Public; Bureau of Conveyances; Fraudulently Notarized
Recorded Instruments

Description:

Requires the Bureau of Conveyances to void any recorded instrument that was fraudulently notarized when attested to by the purported notary public. Requires the Bureau of Conveyance to allow title holders to suspend additional recordings on their title, unless given prior authorization by the title holder, subject to certain limitations.

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

