

STAND. COM. REP. NO. 2515

Honolulu, Hawaii

FEB 20 2026

RE: S.B. No. 2782
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Third State Legislature
Regular Session of 2026
State of Hawaii

Sir:

Your Committee on Water, Land, Culture and the Arts, to which was referred S.B. No. 2782 entitled:

"A BILL FOR AN ACT RELATING TO NOTARIES PUBLIC,"

begs leave to report as follows:

The purpose and intent of this measure is to require the Bureau of Conveyances to:

- (1) Void any recorded instrument that was fraudulently notarized when attested to the Bureau of Conveyances by the purported notary public; and
- (2) Allow title holders to suspend additional recordings on their title, unless given prior authorization by the title holder, subject to certain limitations.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs and Hawai'i Association of REALTORS.

Your Committee received comments on this measure from the Department of the Attorney General, Department of Land and Natural Resources, and Hawaii Financial Services Association.

Your Committee finds that deed fraud devastates property owners across the State, as well as their heirs, purchasers,



realtors, lenders, and the public. Currently, the only remedy is to hire an attorney and petition the court to expunge the fraudulent deed, an expensive and time-consuming process that never completely restores the financial loss of the property owner. This measure will enhance protections for property owners by empowering notaries to act as a safeguard to the integrity and responsibility of deeds and other recorded instruments.

Your Committee acknowledges the recommendations raised in testimony by the Department of the Attorney General regarding the process by which the Bureau of Conveyances may void a contract, as well as regarding the public purpose of this measure and a clear nexus of each provision with this measure's title. Therefore, amendments to this measure are necessary to address these concerns.

Accordingly, your Committee has amended this measure by:

- (1) Clarifying that the Bureau of Conveyances shall notify affected parties that the Bureau has received attestation from a notary public whose notarial act or seal was purportedly fraudulently used on a written instrument of the affected party;
- (2) Inserting language that allows affected parties to void purportedly fraudulent written instruments;
- (3) Specifying that the Bureau shall allow title holders to suspend the recording of any notarized document affecting the title, under certain conditions;
- (4) Inserting legislative findings that explain the significant public purpose of the measure and reflect its amended purpose;
- (5) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (6) 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 Water, Land, Culture and the Arts that is attached to



this report, your Committee is in accord with the intent and purpose of S.B. No. 2782, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2782, S.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Water, Land,
Culture and the Arts,



CHRIS LEE, Chair



