

ACT 13

S.B. NO. 1559-74

A Bill for an Act Relating to Land Document Registration.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 501-101, Hawaii Revised Statutes, is amended to read:

ACT 13

“Sec. 501-101 Voluntary dealing with registered lands. An owner of registered land may convey, mortgage, lease, charge, or otherwise deal with the same as fully as if it had not been registered. He may use forms of deeds, mortgages, leases, or other voluntary instruments like those now in use and sufficient in law for the purpose intended. No deed, mortgage, or other voluntary instrument, except a will and a lease for a term not exceeding one year, purporting to convey or affect registered land, shall take effect as a conveyance or bind the land, but shall operate only as a contract between the parties, and as evidence of authority to the registrar or assistant registrar to make registration. The act of registration shall be the operative act to convey or affect the land, and in all cases under this chapter the registration shall be made in the office of the assistant registrar in the bureau of conveyances, during office hours prescribed in section 502-32. The rules of court may provide for forms of conveyances respecting registered land.”

SECTION 2. Section 502-32, Hawaii Revised Statutes, is amended to read:

“Sec. 502-32 Instrument recorded as of time of delivery; office hours. Every instrument entitled by law to be recorded, shall be recorded in the order and as of the time when the same is delivered to the registrar for that purpose, and shall be considered as recorded from the time of such delivery; provided that it shall not be lawful for the registrar to accept or enter for record and record any instrument or other paper on any Sunday or legal holiday, or on any Saturday that the registrar’s office remains closed pursuant to law, or on any other day except between the hours of 8:00 a.m. and 3:30 p.m.”

SECTION 3. Statutory material to be repealed is bracketed. New material is underscored. In printing this Act, the revisor of statutes may exclude the brackets, the bracketed material, or the underscoring.*

SECTION 4. This Act shall take effect upon its approval.

(Approved April 8, 1974.)

*Edited accordingly.