

ACT 77

H.B. NO. 2052-74

A Bill for an Act Relating to the Acquisition of Private Personal Property for Public Use.

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

SECTION 1. Section 101-71, Hawaii Revised Statutes, is amended to read as follows:

**“Sec. 101-71 Taking private personal property for public use.** In connection with the taking for public use of private real property, the State or any county may take for a public use private personal property which it deems necessary or convenient which has been permanently upon or has been used in connection with the real property being taken. Just compensation must be paid for personal property so taken. Actions under and by virtue of this section shall

be commenced by filing a complaint and issuing a summons thereon. If an action is initiated for the taking of the real property, the action for the taking of the personal property must be joined to it. The complaint shall contain, with reference to the personal property sought to be condemned, a statement of the use to which the property is to be put and a description of the property and shall join as defendants all persons who are owners or claimants thereof. The procedure for the acquisition of private personal property shall, except as otherwise expressly provided in this section, be the same as in other actions brought under this chapter unless the provision by its terms is clearly inapplicable to the acquisition of personal property.”

SECTION 2. Statutory material to be repealed is bracketed. In printing this Act, the revisor of statutes need not include the brackets or the bracketed material.\*

SECTION 3. This Act shall take effect upon its approval.

(Approved May 29, 1974.)

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\*Edited accordingly.