

ACT 113

H.B. NO. 1884-78

A Bill for an Act Relating to the Uniform Probate Code Concerning Notice.

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

SECTION 1. Section 560:1-401, Hawaii Revised Statutes, is amended to read as follows:

**“Sec. 560:1-401 Notice; method and time of giving.** (a) If notice is required and except for specific notice requirements as otherwise provided, the applicant or petitioner shall cause notice to be given to any interested person or his attorney

if he has appeared by attorney or requested that notice be sent to his attorney, or, in the case of a minor or an incapacitated person, his parent or guardian, as appropriate. Notice shall be given:

- (1) By any method by which the person entitled to notice receipts for a copy thereof at least fourteen days before the time set for the hearing; or
- (2) If notice cannot be effected pursuant to paragraph (1) or if the address, or identity of any person is not known and cannot be ascertained with reasonable diligence, by publishing at least once a week for three consecutive weeks, a copy thereof in a newspaper having general circulation in the judicial circuit where the hearing is to be held or the probate proceedings are being maintained, the last publication of which is to be at least ten days before the time set for either the hearing or the registrar's action."

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 Material to be repealed is bracketed.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

SECTION 3. This Act shall become effective upon its approval.

(Approved May 24, 1978.)

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\*Edited accordingly.