

A Bill for an Act Relating to the Bank Examiner.

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

SECTION 1. Section 401-7, Hawaii Revised Statutes, is amended to read as follows:

“Sec. 401-7 Special examinations; extra services; payment of cost. Whenever the bank examiner determines that it is necessary or expedient to make an extra examination or to devote any extraordinary attention to the affairs or the condition of any bank, trust company, building and loan association, fiduciary company, industrial loan and investment company, or licensee under chapter 409, the bank examiner may make any and all extra or necessary examinations and devote such necessary extra attention, and such services shall be paid for by the bank, company, association, or licensee being examined or serviced at the actual per diem cost plus expenses of each person who may be engaged in the special service at the direction of the bank examiner.”

SECTION 2. Section 401-15, Hawaii Revised Statutes, is amended to read as follows:

“Sec. 401-15 Additional examinations, cost of. Whenever the bank examiner has reason to believe that any person, firm, association, corporation, copartnership, society, or company is so conducting its or such a business as to make the same subject to this chapter, or subject to any law requiring inspection of its or the person’s records or affairs or supervision or regulation of its or the person’s business by the bank examiner, then the bank examiner, deputy, or any examiner appointed by the bank examiner may make an examination in accordance with this chapter, of the books, records, and accounts of any such person, firm, association, corporation, copartnership, society, or company.

The bank examiner, deputy, or any examiner appointed by the bank examiner when making the examinations may examine any such person or the members or employees of the firm, association, copartnership, or society or the officers or employees of the corporation or the agents of the person, firm, association, corporation, copartnership, society, or company on oath, and for such purpose may administer oaths, and may order and cause to be produced by any of the persons, members, officers, employees, or by agents so examined, all books of accounts, papers, documents, and securities under the person’s or their possession or control.

If the bank examiner finds that the person, firm, association, corporation, copartnership, society, or company is conducting its or such a business as to make the same subject to the inspection of the bank examiner, the actual per diem cost and expenses of each person who may be engaged in such examination shall be paid by the person, firm, association, corporation, copartnership, society, or company examined.”

SECTION 3. Statutory material to be repealed is bracketed. New material is underscored.*

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

(Approved May 29, 1980.)

*The text has been edited pursuant to HRS §23G-16.5, authorizing omission of the brackets, bracketed material, and underscoring.