

A Bill for an Act Relating to Trust Companies.

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

SECTION 1. Section 406-5, Hawaii Revised Statutes, is amended to read as follows:

**“Sec. 406-5 Powers of trust companies.** Every trust company shall have power, in addition to the general powers conferred by law upon corporations and joint-stock companies:

- (1) To take, receive, and hold, and repay, reconvey, and dispose of, any effects and property, both real and personal, which may be granted, devised, bequeathed, committed, transferred, or conveyed to it, upon any trust or trusts, at any time or times by any person or persons, including [married women and] minors, body or bodies corporate, or by any state, territorial, federal, or foreign court or judge, and to administer, fulfill, and discharge the duties of the trust or trusts for such remuneration as may be agreed upon or provided by law;
- (2) To act generally as agents or attorneys in the transaction of business or management of estates, the collection of rents, interest, dividends, mortgages, bonds, bills, notes, and securities for money;
- (3) To act as agent for the purpose of buying, selling, issuing, negotiating, registering, transferring, or countersigning the certificates of stock, bonds, or other obligations of any corporation, association, or municipality, and to manage any sinking fund therefor, on such terms as may be agreed upon;
- (4) To accept and to execute the offices of personal representative, trustee, receiver, assignee, or guardian, whether by appointment by will, by a court, or judge, or otherwise;
- (5) To loan money upon real estate and collateral security and to execute and issue its notes and debentures, payable at a future date, and to pledge its mortgages on real estate and other securities as security therefor;
- (6) To take and receive from any individual or corporation, on deposit for safekeeping and storage, gold and silver plate, jewelry, money, stocks, securities, and other valuables and personal property;
- (7) To rent out the use of safes or other receptacles upon such terms and for such compensation as may be agreed upon;
- (8) To lease, purchase, hold, and convey all such personal estate as may be necessary to carry on its business or that it may be necessary to acquire in the enforcement or settlement of any claims or demands arising out of its business transactions;
- (9) To execute and issue in the transaction of its business all necessary receipts, certificates, papers, and contracts which shall be signed by such person or persons as may be designated in the bylaws;
- (10) To lease, purchase, hold, and convey real estate as its corporate property;
- (11) To purchase, hold, and sell the stocks and bonds of other corporations;
- (12) To do a general trust and security business; and

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- (13) To transact as agents any other business or undertaking, trust, mercantile, or otherwise, which may be necessary, useful, or convenient to the main purpose of the corporation.

Nothing herein shall be construed as giving the right to issue bills to circulate as money or to discount commercial paper, or to do a general banking business, or to do a savings bank business.

After June 30, 1970, no trust company shall have power to engage, directly or indirectly, in the business of acting as a real estate broker, stockbroker, or insurance agent.”

SECTION 2. Statutory material to be repealed is bracketed. New material is underscored.

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

(Approved April 23, 1980.)