

ACT 185

S.B. NO. 1282

A Bill for an Act Relating to Public Lands

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

SECTION 1. Section 171-20, Hawaii Revised Statutes, is amended to read as follows:

“§171-20 **Notice of breach or default.** Except as otherwise specifically provided in this chapter, in the event of a breach or default of any term, covenant, restriction, or condition of any lease[,] or patent[, license, agreement, or other instrument] heretofore or hereafter issued under this chapter, the board of land and natural resources shall deliver a written notice of the breach or default by personal service or by registered or certified mail to the party in default and to each holder of record having any security interest in the land covered by or subject to the lease[,] or patent[, license, agreement, or other instrument,] making demand upon the party to cure or remedy the breach or default within sixty days from the date of receipt of the notice; provided that where the breach involves a failure to make timely rental payments pursuant to the lease[,] or patent[, license, agreement, or other instrument] heretofore or hereafter issued under this chapter, the written notice shall include a demand upon the party to cure the breach within less than sixty days, but not less than five business days, after receipt of the notice. Upon failure of the party to cure or remedy the breach ~~[[]or[]]~~ default within the time period provided herein or within such additional period as the board may allow for good cause, the board may, subject to section 171-21 exercise such rights as it may have at law or as set forth in the lease[,] or patent[, license, agreement, or other instrument].”

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 Statutory material to be repealed is bracketed.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

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

(Approved May 23, 1991.)