

ACT 26

H.B. NO. 3279

A Bill for an Act Relating to Uniform Commercial Code Article 2A.

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

SECTION 1. Section 490:2A-524, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) [A lessor aggrieved under section 490:2A-523(a)] After default by the lessee under the lease contract of the type described in section 490:2A-523(a) or 490:2A-523(c)(1) or, if agreed, after other default by the lessee, the lessor may:

- (1) Identify to the lease contract conforming goods not already identified if at the time the lessor learned of the default they were in the lessor's or the supplier's possession or control; and
- (2) Dispose of goods (section 490:2A-527(a)) that demonstrably have been intended for the particular lease contract even though those goods are unfinished.”

SECTION 2. Section 490:2A-529, Hawaii Revised Statutes, is amended by amending subsection (e) to read as follows:

“(e) After [a] default by the lessee [has wrongfully rejected or revoked acceptance of goods, has failed to pay rent then due, or has repudiated (section 490:2A-402),] under the lease contract of the type described in section 490:2A-523(a) or section 490:2A-523(c)(1) or, if agreed, after other default by the lessee, a lessor who is held not entitled to rent under this section must nevertheless be awarded damages for nonacceptance under [sections] section 490:2A-527 [and] or section 490:2A-528.”

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 Statutory material to be repealed is bracketed.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

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

(Approved April 22, 1992.)