

ACT 85

H.B. NO. 2678

A Bill for an Act Relating to Trustees.

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

SECTION 1. Section 607-18, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

“(b) Upon the principal of the estate, trustees shall be allowed as commissions one per cent on the value at the inception of the trust payable at the inception out of the principal, one per cent on the value of all or any part of the estate upon final distribution payable at the termination out of the principal, and two and one-half per cent upon all cash principal received after the inception of the trust and neither being nor representing principal upon which the two and one-half per cent has previously at any time been charged, payable at the receipt out of the principal, and two and one-half per cent upon the final payment of any cash principal prior to the termination of the trust, payable at the final payment out of the principal, and in addition thereto [three-tenths] five-tenths of one per cent on the value at the expiration of each year during the continuance of the trust payable annually out of the principal; provided that such [three-tenths] five-tenths of one per cent on the principal shall not apply to trust estates created under a trust document which authorizes the trustees to employ others to perform book-keeping and clerical services at the expense of the estate, unless first approved by the court, nor shall such [three-tenths] five-tenths of one per cent be allowed when such authority is granted by statute. For the purposes of this subsection, the value of the estate shall be determined in such manner as the court may approve.”

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 Statutory material to be repealed is bracketed.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 27, 1992.)