

ACT 41

S.B. NO. 2072

A Bill for an Act Relating to Service of Process.

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

SECTION 1. The legislature finds that the manner by which summons are served within this State for civil actions should be consistent with other provisions of the Hawaii Revised Statutes.

The purpose of this Act is to specify the manner by which summons are served for civil actions in the nature of assumpsit within this State.

SECTION 2. Chapter 634, Hawaii Revised Statutes, is amended by adding a new section to part III to be appropriately designated and to read as follows:

“§634- Manner of service within the State; assumpsit. For civil actions in the nature of assumpsit, when service of summons is required by law, court rule, or court order, service on the defendant within the State shall be:

- (1) By personal delivery by a person authorized to serve process; or
- (2) If a reasonable attempt at personal delivery has not been successful, then by certified, registered, or express mail sent to the addressee only, as ordered by the court.

Service pursuant to paragraph (1) and proof of personal service shall be made in the manner prescribed by law, court rule, or court order. If service is made pursuant to paragraph (2), a return receipt or other proof of service provided by the postal service shall be filed showing delivery to the addressee within the State.”

SECTION 3. New statutory material is underscored.¹

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

(Approved April 23, 2014.)

Note

1. Edited pursuant to HRS §23G-16.5.