

PROPOSED

HOUSE OF REPRESENTATIVES
TWENTY-THIRD LEGISLATURE, 2006
STATE OF HAWAII

H.B. NO. 2899
H.D. 1
S.D. 1

A BILL FOR AN ACT

RELATING TO JUDGMENT LIENS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 636-3, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "**§636-3 Judgment, lien when.** Any money judgment,
4 including its underlying order or decree, of a state court or
5 the United States District Court for the District of Hawaii
6 shall be a lien upon real property when a copy thereof,
7 certified as correct by a clerk of the court where it is
8 entered, is recorded in the bureau of conveyances. No such lien
9 shall continue beyond [~~ten years after the date of the~~
10 ~~judgment.~~] the length of time the money judgment is in force.
11 Except as otherwise provided, every judgment shall contain or
12 have endorsed on it the last four digits of the social security
13 number, the State of Hawaii general excise taxpayer
14 identification number, or the federal employer identification
15 number for persons, corporations, partnerships, or other
16 entities against whom the judgment is rendered. If the
17 [~~judgment~~] debtor has no social security number, State of Hawaii
18 general excise taxpayer identification number, or federal



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1 employer identification number, or if that information is not in
2 the possession of the party seeking registration of the
3 judgment, the judgment shall be accompanied by a certificate
4 that provides that the information does not exist or is not in
5 the possession of the party seeking recordation of the judgment.
6 Failure to disclose or disclosure of an incorrect last four
7 digits of the social security number, State of Hawaii general
8 excise taxpayer identification number, or federal employer
9 identification number shall not in any way adversely affect or
10 impair the lien created upon recordation of the judgment. When
11 any [~~such~~] judgment is fully paid, the creditor or the
12 creditor's attorney of record in the action shall, at the
13 expense of the debtor, execute, acknowledge, and deliver to the
14 debtor a satisfaction thereof, which may be recorded in the
15 bureau. Every satisfaction or assignment of judgment shall
16 contain a reference to the book and page or document number of
17 the registration of the original judgment. The recording fees
18 for a judgment and for each assignment or satisfaction of
19 judgment shall be as provided by section 502-25.

20 In the case of registered land, section 501-102 and
21 sections 501-241 to 501-248 shall govern."



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

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



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Report Title:

Judgment Liens

Description:

Changes requirement for the debtor's social security number to just the last four digits when recording a judgment, order, or decree for lien purposes. Clarifies that liens do not continue beyond the time period that the judgment, including its underlying order or decree, is in force. Clarifies that liens apply to judgments, including their underlying orders and decrees. (SD1)

