

JAN 25 2006

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.** (a) Any money judgment,
4 order, or decree of a state court or the United States District
5 Court for the District of Hawaii shall be a lien upon real
6 property when a copy thereof, certified as correct by a clerk of
7 the court where it is entered, is recorded in the bureau of
8 conveyances. No [~~such~~] lien shall continue beyond [~~ten years~~
9 ~~after the date of the judgment.~~] the length of time the
10 underlying judgment is in force.
11 (b) Except as otherwise provided, every judgment shall
12 contain or have endorsed on it the [~~social security number,~~]
13 State of Hawaii general excise taxpayer identification number[~~7~~]
14 or federal employer identification number for persons,
15 corporations, partnerships, or other entities against whom the
16 judgment is rendered. If the judgment debtor [~~has no social~~
17 ~~security number,~~] does not have a State of Hawaii general excise
18 taxpayer identification number[~~7~~] or federal employer



1 identification number, or if that information is not in the
 2 possession of the party seeking registration of the judgment,
 3 the judgment shall be accompanied by a certificate that provides
 4 that the information does not exist or is not in the possession
 5 of the party seeking recordation of the judgment. Failure to
 6 disclose or disclosure of an incorrect [~~social security number,~~]
 7 State of Hawaii general excise taxpayer identification number[~~7~~]
 8 or federal employer identification number shall not in any way
 9 adversely affect or impair the lien created upon recordation of
 10 the judgment.

11 (c) When [~~any such~~] the judgment is fully paid, the
 12 creditor or the creditor's attorney of record in the action
 13 shall, at the expense of the debtor, execute, acknowledge, and
 14 deliver to the debtor a satisfaction thereof, which may be
 15 recorded in the bureau. Every satisfaction or assignment of
 16 judgment shall contain a reference to the book and page or
 17 document number of the registration of the original judgment.
 18 The recording fees for a judgment and for each assignment or
 19 satisfaction of judgment shall be as provided [~~by~~] under section
 20 502-25.

21 (d) For purposes of this section, "judgment" means all
 22 judgments, orders, and decrees of the court awarding money.

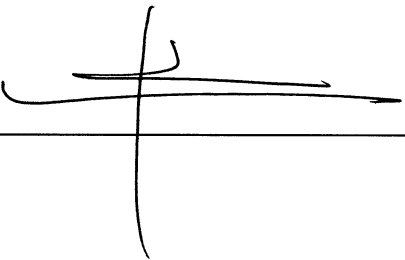
1 (e) In the case of registered land, section 501-102 and
2 sections 501-241 to 501-248 shall govern."

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

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

6

INTRODUCED BY: _____

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Report Title:
Judgment Liens

SB. NO. 2950

Description:

Excludes social security numbers from being included on a judgment lien. Extends the life of a lien for as long as the underlying judgment is in force. Clarifies that all orders of the court that award money are liens.

