

Honolulu, Hawaii

March 2, 2006

RE: H.B. No. 3250  
H.D. 1

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Third State Legislature  
Regular Session of 2006  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 3250 entitled:

"A BILL FOR AN ACT RELATING TO SUPERSEDEAS BONDS,"

begs leave to report as follows:

The purpose of this bill is to:

- (1) Limit the amount of any supersedeas bond or other form of security necessary to stay execution of a judgment on a civil case pending appeal; and
- (2) Authorize the court to set the bond up to the total amount of the judgment if the appellant dissipates assets to avoid payment of the judgment during the pending appeal.

The Hawaii Business League, Grocery Manufacturers of America, and a concerned individual testified in support of this bill.

Your Committee has amended this bill by:

- (1) Excluding supersedeas bonds posted by tobacco master settlement agreement signatories and their successors and affiliates, which are limited under section 328L-7, Hawaii Revised Statutes; and



- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 3250, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 3250, H.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary,



SYLVIA LUKE, Chair



