

STAND. COM. REP. NO. 1802-08

Honolulu, Hawaii

Ajlo , 2008

RE: H.C.R. No. 173  
H.D. 1

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Fourth State Legislature  
Regular Session of 2008  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.C.R. No. 173 entitled:

"HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF THE ATTORNEY GENERAL TO STUDY AND RECOMMEND WHETHER LEGISLATION ESTABLISHING A REVOCABLE BENEFICIARY DEED SHOULD BE ENACTED IN HAWAII,"

begs leave to report as follows:

The purpose of this concurrent resolution is to request the Department of the Attorney General (AG) to conduct a study of, and propose legislation to allow for the use of the real property donative transfer device known as a revocable beneficiary deed.

Testimony in support of this measure was received from a concerned individual. Testimony in opposition to this measure was received from the AG.

Your Committee has amended this concurrent resolution by:

- (1) Changing, from the AG to the Legislative Reference Bureau, the party requested to undertake the study and to report to the legislature;
- (2) Amending the scope of the study to require only identification and description of similar donative transfer devices under current state law, rather than of



all existing real property donative transfer devices;  
and

- (3) Making technical, nonsubstantive revisions for purposes of clarity 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 concurs with the intent and purpose of H.C.R. No. 173, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 173, H.D. 1.

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

  
TOMMY WATERS, Chair



