

STAND. COM. REP. NO. 1250

Honolulu, Hawaii

March 27, 2009

RE: S.B. No. 119

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 119 entitled:

"A BILL FOR AN ACT RELATING TO THE UNIFORM FOREIGN-COUNTRY MONEY JUDGMENTS RECOGNITION ACT,"

begs leave to report as follows:

The purpose of this bill is to simplify the conduct of international business by recognizing money judgments obtained in other nations for the purpose of enforcement.

This bill replaces the Uniform Foreign Money-Judgments Recognition Act, enacted in 1996 as Chapter 658C, Hawaii Revised Statutes, with the Uniform Foreign-Country Money Judgments Recognition Act. Among other things, this bill updates current law by:

- (1) Providing a statute of limitation on enforcement of a foreign-country judgment;
- (2) Providing that the party seeking recognition of a foreign judgment has the burden to prove that the judgment is subject to the Act; and
- (3) Imposing the burden of proof of establishing that a specific ground for non-recognition exists, upon the party resisting recognition.

SB119 HSCR JUD HMS 2009-3136



The Hawaii Commission to Promote Uniform Legislation offered comments.

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 S.B. No. 119 and recommends that it pass Second Reading and be referred to the Committee on Finance.

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



JON RIKI KARAMATSU, Chair



