
A BILL FOR AN ACT

RELATING TO LIMITATION OF ACTIONS.

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

1 SECTION 1. Chapter 657, Hawaii Revised Statutes, is
2 amended by adding a new section to part I to be appropriately
3 designated and to read as follows:

4 "§657- Fraud or undue influence; wills, estate plans,
5 or trusts. All actions to challenge or contest a will, estate
6 plan, or trust where:

7 (1) It is alleged that the testator, principal, or
8 property owner who established the will, estate plan,
9 or trust amended the provisions of the will, estate
10 plan, or trust as a result of fraud or undue influence
11 by:

12 (A) The beneficiary or beneficiaries of the
13 amendments; or

14 (B) Persons acting as agents of the parties in
15 subparagraph (A); and

16 (2) The action is commenced by persons designated as
17 beneficiaries of the will, estate plan, or trust prior
18 to the amendments;



1 shall be brought within nine years after the cause of action
2 accrued or within six years after discovery of the fraud or
3 undue influence, whichever period is longer."

4 SECTION 2. New statutory material is underscored.

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

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INTRODUCED BY:

John M. Pappas
ZR

JAN 26 2011



Report Title:

Limitation of Actions; Wills, Estate Plans, and Trusts; Fraud or Undue Influence

Description:

Provides that an action to challenge or contest a will, estate plan, or trust, shall be commenced within 9 years if it is alleged that the testator, principal, or property owner who established the will, estate plan, or trust was the victim of fraud or undue influence.

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