

STAND. COM. REP. NO. 1301

Honolulu, Hawaii

April 1, 2011

RE: S.B. No. 105  
S.D. 2  
H.D. 1

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Sixth State Legislature  
Regular Session of 2011  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 105, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO UNIFORM REAL PROPERTY TRANSFER ON DEATH,"

begs leave to report as follows:

The purpose of this bill is to adopt the Uniform Real Property Transfer on Death Act to authorize the transfer of real property to designated beneficiaries through a transfer on death deed thereby avoiding probate requirements.

Hawaii's Uniform Law Commissioners and a concerned individual testified in support of this measure.

Your Committee has amended this bill by:

- (1) Adding an exemption to the conveyance tax for those transfer on death deeds that fully comply with recording requirements established under the Uniform Real Property Transfer on Death Act;
- (2) Changing its effective date to July 1, 2011; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

SB105 HD1 HSCR JUD HMS 2011-3371



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. 105, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 105, S.D. 2, H.D. 1, and be placed on the calendar for Third Reading.

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

  
GILBERT KEITH-AGARAN, Chair



