

STAND. COM. REP. NO. 912

Honolulu, Hawaii
March, 2013

RE: H.B. No. 1280
H.D. 2

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Seventh State Legislature
Regular Session of 2013
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1280, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO PUBLIC SAFETY,"

begs leave to report as follows:

The purpose of this measure is to more clearly define and delineate the duties and responsibilities of process servers, including by examining ways of licensing and registering process servers by requiring the Department of Public Safety to convene a working group to:

- (1) Define and delineate process server duties and responsibilities;
- (2) Create a registration process for process servers;
- (3) Examine the licensing requirements of and jurisdictional concerns with the private process server industry in the State; and
- (4) Address other relevant issues.

The Hawai'i State Judiciary, Department of Public Safety, and a concerned individual supported this measure.

HB1280 HD2 HSCR JUD HMS 2013-2419



Your Committee has amended this measure by:

- (1) Authorizing the Director of Public Safety to maintain a list of independent civil process servers authorized to process specified writs and other orders and documents;
- (2) Shielding the Department of Public Safety and the State from responsibility or liability for the conduct of any independent civil process server placed on the list;
- (3) Specifying that an independent civil process server placed on the Department of Public Safety's list shall not be considered a law enforcement officer, sheriff or deputy sheriff, or employee or agent of the State; and
- (4) 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. 1280, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1280, H.D. 2.

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



KARL RHOADS, Chair



