

STAND. COM. REP. NO.

1122

Honolulu, Hawaii

March 22, 2013

RE: S.B. No. 1265
S.D. 1
H.D. 1

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

Sir:

Your Committees on Consumer Protection & Commerce and
Judiciary, to which was referred S.B. No. 1265, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CONTRACTS,"

beg leave to report as follows:

The purpose of this measure is to amend the regulation of
owner's agreements with an attorney to locate, deliver, recover,
or assist in the recovery of property that is presumed abandoned
by:

- (1) Exempting an owner's agreement with an attorney to file
a claim as to identified property or contest the
administrator's denial of a claim from the application
of the entire section 523A-25, Hawaii Revised Statutes;
and
- (2) Specifying that an owner's agreement with an attorney to
file a claim or contest the denial of a claim and that
provides for compensation shall not exceed twenty-five
percent of the total value of the property.

The Collection Law Section of the Hawaii State Bar
Association testified in support of this measure.

SB1265 HD1 HSCR CPC-JUD HMS 2013-2818



Your Committees have amended this measure by:

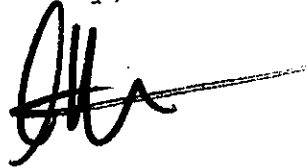
- (1) Increasing the amount of enforceable compensation allowed from ten to twenty-five percent of the total value of the property for all owner's agreements to locate, deliver, recover, or assist in the recovery of property that is presumed abandoned; and
- (2) Changing the effective date to July 1, 2112, to encourage further discussion.

As affirmed by the records of votes of the members of your Committees on Consumer Protection & Commerce and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 1265, S.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 1265, S.D. 1, H.D. 1, and be referred to the Committee on Finance.

Respectfully submitted on
behalf of the members of the
Committees on Consumer
Protection & Commerce and
Judiciary,



KARL RHOADS, Chair



ANGUS L.K. MCKELVEY, Chair



