

STAND. COM. REP. NO.

426

Honolulu, Hawaii

FEB 15 2013

RE: S.B. No. 1182
S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Seventh State Legislature
Regular Session of 2013
State of Hawaii

Madam:

Your Committee on Public Safety, Intergovernmental and
Military Affairs, to which was referred S.B. No. 1182 entitled:

"A BILL FOR AN ACT RELATING TO THE SERVICE OF PROCESS,"

begs leave to report as follows:

The purpose and intent of this measure is to update the
Hawaii Revised Statutes to permit law enforcement officers and
other persons authorized by the courts to serve legal process.

Your Committee received testimony in support of this measure
from the Department of Public Safety. Your Committee received
testimony in opposition to this measure from the Judiciary.

Your Committee finds that process servers play an important
role in facilitating a timely judicial process and protecting
public safety. By permitting more individuals who are duly
authorized and qualified to serve legal process, this measure will
improve efficiency and timeliness of the process. However, your
Committee also finds that the duties of process servers need more
clarification by the Department of Public Safety.

Your Committee has amended this measure by:

- (1) Establishing a working group to define and delineate the
duties and responsibilities of process servers under the
jurisdiction of the Department of Public Safety; create
a process to obtain certification for the Sheriff
Division from the Commission on Accreditation for Law

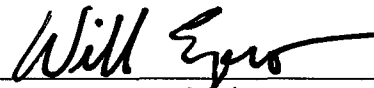


Enforcement Agencies, Inc., to ensure that proper law enforcement policies and procedures are enacted and followed; create a process of registration for process servicers in the State; and address other issues deemed relevant by the working group or by the Department of Public Safety;

- (2) Deleting references to "other person authorized by the court" from those persons permitted to serve process; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1182, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1182, S.D. 1, and be referred to the Committee on Judiciary and Labor.

Respectfully submitted on
behalf of the members of the
Committee on Public Safety,
Intergovernmental and Military
Affairs,

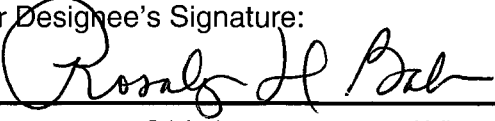


WILL ESPERO, Chair



The Senate
 Twenty-Seventh Legislature
 State of Hawai'i

Record of Votes
Committee on Public Safety, Intergovernmental and Military Affairs
PSM

Bill / Resolution No.:* 8B 1182	Committee Referral: PSM, JDL	Date: 2-14-2013		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
ESPERO, Will (C)	✓			
BAKER, Rosalyn H. (VC)	✓			
GALUTERIA, Brickwood	✓			
GREEN, Josh				✓
SLOM, Sam				✓
TOTAL	3	-	-	2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes