

JAN 22 2016

A BILL FOR AN ACT

RELATING TO SERVICE OF PROCESS.

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

1 SECTION 1. Section 205-13, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "§205-13 Penalty for violation[-]; Notice. (a) Any
4 person who violates any provision under section 205-4.5, or any
5 regulation established relating thereto, shall be fined not more
6 than \$5,000, and any person who violates any other provision of
7 this chapter, or any regulation established relating thereto,
8 shall be fined not more than \$1,000.

9 (b) If any person cited for a violation under this chapter
10 fails to remove such violation within six months of such
11 citation and the violation continues to exist, such person shall
12 be subject to a citation for a new and separate violation.

13 There shall be a fine of not more than \$5,000 for any additional
14 violation.

15 (c) Prior to the issuance of any citation for a violation,
16 the appropriate enforcement officer or agency shall notify the
17 violator and the mortgagee, if any, of such violation, and the



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1 violator or the mortgagee, if any, shall have not more than
2 sixty days to cure the violation before citation for a violation
3 is issued.

4 When service of process is required by law, rule, or court
5 order to notify a violator and mortgagee, if any, of a violation
6 of this chapter and all attempts of service of process within
7 the State are unsuccessful by personal delivery and by
8 certified, registered, or express mail, notice may be given via
9 a posting on a searchable government website."

10 SECTION 2. Statutory material to be repealed is bracketed
11 and stricken. New statutory material is underscored.


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

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INTRODUCED BY:



Proctor & Pelt
Mike Lattin
John Bues

Will Egan
John

Stephen R. Brown



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Report Title:

Service of Process; Land Use Violation; Notice

Description:

Allows notice of a land use violation to be given via a posting on a searchable government website when attempts to serve the notice in person and by mail have been unsuccessful.

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