

STAND. COM. REP. NO. **626**

Honolulu, Hawaii

MAR 05 2015

RE: S.B. No. 134
S.D. 2

Honorable Donna Mercado Kim
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2015
State of Hawaii

Madam:

Your Committee on Judiciary and Labor, to which was referred S.B. No. 134, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO PARTITION OF HEIRS PROPERTY,"

begs leave to report as follows:

The purpose and intent of this measure is to adopt the Uniform Partition of Heirs Property Act, which establishes procedures and remedies applicable to actions for partition of real property that is heirs property.

Your Committee received testimony in support of this measure from the Commission to Promote Uniform Legislation.

Your Committee finds that this Uniform Partition of Heirs Property Act is intended to provide procedures and remedies in partition actions involving real property held in tenancy in common for which there is no binding agreement among the cotenants to govern the partition of the property. Your Committee notes the testimony of the Commission to Promote Uniform Legislation that this measure is intended to provide cotenants with many of the protections and rights commonly found in private agreements governing the partition of real property held by tenants-in-common and that this measure is not intended to replace existing law on partitioning property that is not heirs property.

Your Committee has amended this measure by making technical, nonsubstantive amendments for the purposes of clarity and consistency.

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As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 134, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 134, S.D. 2.

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


GILBERT S.C. KEITH-AGARAN, Chair



