

JAN 19 2017

---

---

# A BILL FOR AN ACT

RELATING TO COURTS.

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

1           SECTION 1. Section 604-5, Hawaii Revised Statutes, is  
2 amended by amending subsection (a) to read as follows:  
3           "(a) Except as otherwise provided, the district courts  
4 shall have jurisdiction in all civil actions where the debt,  
5 amount, damages, or value of the property claimed does not  
6 exceed \$40,000, except in civil actions involving summary  
7 possession or ejectment, in which case the district court shall  
8 have jurisdiction over any counterclaim otherwise properly  
9 brought by any defendant in the action if the counterclaim  
10 arises out of and refers to the land or premises the possession  
11 of which is being sought, regardless of the value of the debt,  
12 amount, damages, or property claim contained in the  
13 counterclaim. Attorney's commissions or fees, including those  
14 stipulated in any note or contract sued on, interest, and costs,  
15 shall not be included in computing the jurisdictional amount.  
16 Subject to subsections (b) and (c), jurisdiction under this  
17 subsection shall be exclusive when the amount in controversy, so



# S.B. NO. 98

1 computed, does not exceed \$10,000. The district courts shall  
 2 also have original jurisdiction of suits for specific  
 3 performance when the fair market value of such specific  
 4 performance does not exceed [~~\$20,000~~] \$40,000 and original  
 5 jurisdiction to issue injunctive relief in residential landlord-  
 6 tenant cases under chapter 521."

7 SECTION 2. This Act does not affect rights and duties that  
 8 matured, penalties that were incurred, and proceedings that were  
 9 begun before its effective date.

10 SECTION 3. Statutory material to be repealed is bracketed  
 11 and stricken. New statutory material is underscored.

12 SECTION 4. This Act shall take effect upon its approval.

13

INTRODUCED BY:

*[Signature]*  
~~*A.C. Finch*~~  
*Karl Rhoads*  
*Johnne Ingersoll King*  
*Nile Hubbard*



# S.B. NO. 98

**Report Title:**

District Courts; Civil Actions; Jurisdiction; Specific Performance

**Description:**

Raises the district courts' jurisdictional limit for civil actions involving specific performance.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

