

STAND. COM. REP. NO.

757

Honolulu, Hawaii

MAR 04 , 2021

RE: H.B. No. 1036  
H.D. 1

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirty-First State Legislature  
Regular Session of 2021  
State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred H.B. No. 1036 entitled:

"A BILL FOR AN ACT A BILL FOR AN ACT RELATING TO PUBLIC SAFETY,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Specify the persons authorized to serve civil legal process;
- (2) Mandate the Department of Public Safety to maintain a list of independent civil process servers; and
- (3) Shield the State and the Department of Public Safety from liability arising from the acts of independent civil process servers.

Your Committee received testimony in support of this measure from the Collection Law Section of the Hawaii State Bar Association. Your Committee received comments on this measure from the Department of Public Safety.

Your Committee finds that Act 116, Session Laws of Hawaii 2013 (Act 116), which clarified the service of process in the

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State, was repealed on June 30, 2020. This measure will reimplement the substantive provisions of Act 116 to ensure the efficiency and fairness of the service of process in Hawaii.

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

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1036, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1036, H.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary &  
Hawaiian Affairs,



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MARK M. NAKASHIMA, Chair



State of Hawaii  
House of Representatives  
The Thirty-first Legislature **HSCR 757**

**Record of Votes of the Committee on Judiciary & Hawaiian Affairs**

<b>Bill/Resolution No.:</b> HB 1036	<b>Committee Referral:</b> JHA	<b>Date:</b> 2-23-21		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
<b>The recommendation is to:</b> <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
JHA Members	Ayes	Ayes (WR)	Nays	Excused
1. NAKASHIMA, Mark M. (C)	✓			
2. MATAYOSHI, Scot Z. (VC)	✓			
3. ICHIYAMA, Linda	✓			
4. KOBAYASHI, Dale T.	✓			
5. LoPRESTI, Matthew S.	✓			
6. LOWEN, Nicole E.	✓			
7. McKELVEY, Angus L.K.	✓			
8. NAKAMURA, Nadine K.	✓			
9. TAKUMI, Roy M.	✓			
10. TODD, Chris	✓			
11. TOKIOKA, James Kunane	✓			
12. WARD, Gene	✓			
<b>TOTAL (12)</b>	12	0	0	0
<b>The recommendation is:</b> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
<b>Vice Chair's or designee's signature:</b>				
<b>Distribution:</b> Original (White) – Committee    Duplicate (Yellow) – Chief Clerk's Office    Duplicate (Pink) – HMSO				