

STAND. COM. REP. NO. 1062

Honolulu, Hawaii

**MAR 23 2021**

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

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-First State Legislature  
Regular Session of 2021  
State of Hawaii

Sir:

Your Committee on Public Safety, Intergovernmental, and Military Affairs, to which was referred H.B. No. 1036, H.D. 1, entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Authorize the Department of Public Safety to maintain a list of independent civil process servers; and
- (2) Amend appropriate statutes to authorize process servers to serve specific types of legal documents.

Your Committee received testimony in support of this measure from the Department of Public Safety, Hawaii State Bar Association, Collection Law Section of the Hawaii State Bar Association, and one individual. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Judiciary.

Your Committee finds that the sunset provision in Act 101, Session Laws of Hawaii 2015, that went into effect on June 30, 2020, resulted in a repeal of numerous sections of the Hawaii



Revised Statutes, which removed express language authorizing process servers to serve specific types of legal documents. This measure updates and reinstates statutory language in order to provide clear guidelines for the limitation of authority, fee schedules, and the specific services provided by process servers who are required to be registered with the Department of Safety.

Your Committee has amended this measure by 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 H.B. No. 1036, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1036, H.D. 1, S.D. 1, and be referred to your Committee on Judiciary.

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

*Clarence K Nishihara*

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CLARENCE K. NISHIHARA, Chair



The Senate  
Thirty-First Legislature  
State of Hawai'i

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

Bill / Resolution No.:*	Committee Referral:	Date:
HB 1036, HD1	PSM, JDC	3/16/2021
<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	
NISHIHARA, Clarence K. (C)	/	
ENGLISH, J. Kalani (VC)	/	
BAKER, Rosalyn H.	/	
RIVIERE, Gil		/
FEVELLA, Kurt	/	
<b>TOTAL</b>	4	-
-	-	1
Recommendation:		
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted		
Chair's or Designee's Signature:		
<i>Clarence K. Nishihara</i>		
Distribution:		
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency
Goldenrod Committee File Copy		

\*Only one measure per Record of Votes