

JAN 19 2024

A BILL FOR AN ACT

RELATING TO THE UNIFORM PROBATE CODE.

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

1 SECTION 1. The purpose of this Act is to correct an
2 oversight in Act 158, Session Laws of Hawaii 2023, which updated
3 articles I through IV of the Uniform Probate Code to adjust for
4 inflation, clarify provisions, resolve issues that have arisen
5 in probate practice, and address societal changes in familial
6 relations. Specifically, this Act reduces the number of
7 required publications of a notice to creditors by a trustee to
8 once a week for two successive weeks, consistent with the
9 amendments Act 158 made to publication requirements applicable
10 to probate matters generally.

11 SECTION 2. Section 560:3-801, Hawaii Revised Statutes, is
12 amended by amending subsection (f) to read as follows:

13 "(f) The trustee or successor trustee of any trust created
14 by the decedent may publish a notice to creditors once a week
15 for [~~three~~] two successive weeks in a newspaper of general
16 circulation in the judicial circuit in which either:

17 (1) The decedent was domiciled; or



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1 (2) An application or petition for appointment of personal
2 representative is filed announcing the trustee's name
3 and address, and notifying creditors of the decedent
4 to present their claims to the trustee within four
5 months after the date of the first publication of the
6 notice or be forever barred.

7 The notice may be combined with the published notice of the
8 pendency of any probate or appointment proceedings."

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 Statutory material to be repealed is bracketed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

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

12

INTRODUCED BY: 
By Request



S.B. NO. 2378

Report Title:

Judiciary Package; Uniform Probate Code

Description:

Updates the Uniform Probate Code by reducing the number of required publications of a notice to creditors by a trustee to once a week for two successive weeks, consistent with amendments made by Act 158, SLH 2023, to publication requirements applicable to probate matters generally.

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