

**ACT 89**

A Bill for an Act Relating to Garnishment and Amending Chapter 237 of the Revised Laws of Hawaii 1955, as Amended.

*Be it Enacted by the Legislature of the State of Hawaii:*

**SECTION 1.** The last sentence of the third paragraph of section 237-1(a) of the Revised Laws of Hawaii 1955, as amended, is hereby amended to read as follows:

“The cumulative total value of such fund, in advance of final judgment, shall be no more than shall be sufficient to meet the claim of the plaintiff together with cost and legal interest. Any excess in the fund shall be released by the court pursuant to subsection (d) of this section. No part of the garnishee fund may be otherwise disposed of by the garnishee except as provided in this chapter.”

SECTION 2. Subsection (d) of section 237-1 of the Revised Laws of Hawaii 1955, as amended, is hereby amended to read as follows:

“(d) Garnishee fund excessive. At any time after service of summons, the court, upon the consent of the plaintiff or upon motion of the defendant or of the garnishee and notice to the plaintiff, shall determine whether the garnishee fund is excessive in amount in comparison with the provisions of subsection (a) of this section or with the judgment rendered and may thereupon release the remainder thereof from being so secured.”

SECTION 3. This Act shall take effect upon its approval.  
(Approved May 14, 1965.) **H.B. 1230.**