

A Bill for an Act Amending Section 317-58, Revised Laws of Hawaii 1955, as Amended, Relating to Estates of Persons Leaving No Known Heirs.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 317-58, Revised Laws of Hawaii 1955, as amended, is hereby amended to read as follows:

“Sec. 317-58. Estates of persons leaving no known relatives. Every coroner, or medical examiner, who is called to investigate the death of any person leaving no known major relatives in the State, shall take immediate charge of such decedent’s personal effects and if in the discretion of the coroner the value of such personal effect is in excess of \$100.00, forthwith deliver them to the clerk of the circuit court of the circuit in which such decedent died.

If after ten days no person appears, competent to initiate appropriate administration or probate proceedings, the clerk shall administer the estate pursuant to the provisions of this part; provided, that if such decedent’s estate be of a value exceeding \$3,000, the clerk shall notify the judge of such circuit having charge of the probate calendar, and shall petition for the appointment of an appropriate administrator of such estate other than the clerk. In the meantime the clerk may take such steps as may be appropriate to preserve and conserve the real and personal property of the decedent. All expenses in connection with the taking possession, care and conservation of the property and with such proceedings shall be proper charges against the estate of the decedent. The county attorney of each county shall advise, assist and represent as far as necessary any of such officers in the performance of any act or the institution or prosecution of any proceeding required by this section.

If such decedent’s estate be of a value not exceeding \$100 and such dece-

dent has no known relatives or whose relatives have failed to indicate any means of disposition of such estate, then the coroner, or medical examiner, having custody of such property shall dispose of such property in an appropriate manner, which may be any one of the following or a combination thereof:

(1) Where the assets belonging to such estates consists only of money and is not in excess of \$100 and expenditures have been made in connection with such death, to reimburse the appropriate city and/or county office which made the disbursement to defray said expenses;

(2) Where the estate consists of cash and/or personal belongings of monetary value, not exceeding \$100, to liquidate said personal belongings and apply the proceeds, together with the cash, if the total does not exceed \$100, in accordance with paragraph 1 hereinabove set forth;

(3) Where the assets in the estate are of no monetary value (unsaleable) and in his best judgment and discretion can be used by some charitable institution, to donate said assets to whatever charitable institution is willing and able to pick up the assets in question;

(4) Where the assets have no value whatsoever or in such condition that, in his best judgment and discretion, a charitable institution cannot use said properties, or will not receive said properties, to destroy the same in any manner he sees fit; and

(5) If under paragraphs 1 and 2, there are assets remaining, then he shall forthwith escheat the same to the state director of finance.”

SECTION 2. This Act shall take effect upon its approval.

(Approved July 14, 1969.)