

ACT 85

H. B. NO. 1980-72

A Bill for an Act Relating to the Sale of Personal Property in Lien Holder.
Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 507-23, Hawaii Revised Statutes, is amended to read as follows:

“Sec. 507-23 Sale of personal property in lien holder. Notwithstanding sections 507-18 to 507-22, in the event the reasonable charges for the work done and materials furnished do not exceed \$150, the holder of any lien provided for in section 507-18 may, in lieu of obtaining judgment and execution upon the property so held by him, sell the article of personal property upon which the alterations or repairs have been made in the manner hereinafter set forth and apply the proceeds of the sale in satisfaction of the reasonable charges for the work done and materials furnished; provided, that the article has been unclaimed for at least three months. The holder of the lien shall give public

notice by publication in a newspaper of general circulation in the State, the publication to be not less than ten days prior to the date of sale, and shall notify the owner of the sale by sending a letter by registered mail to the last known address of the owner at least thirty days prior to the sale. The notice shall particularly describe the article to be sold, the name of the owner, the date and place of the sale, and the amount of the reasonable charges. At the time and place so published, the article may be sold and the purchaser shall succeed to the title of the owner. Out of the proceeds of the sale the holder of the lien may retain the amount of the reasonable charges, the cost of publication and other expenses incident to the sale. Any balance remaining unclaimed by the owner of the article within thirty days from the date of the sale shall be deposited with the director of finance and shall be payable to the owner of the article if claimed within one year from the date of the sale. If no claim is made for the balance within that period, the moneys so deposited shall become a government realization.”

SECTION 2. Statutory material to be repealed is bracketed. New material is underscored. In printing this Act, the revisor of statutes need not include the brackets, the bracketed material, or the underscoring.*

SECTION 3. This Act shall take effect upon its approval.

(Approved May 19, 1972.)

*Edited accordingly.