

ACT 112

H.B. NO. 3337

A Bill for an Act Relating to the Nonpresentment of Warrants and Checks.

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

SECTION 1. Section 40-68, Hawaii Revised Statutes, is amended to read as follows:

“§40-68 Nonpresentment of warrants and checks. Any warrant or check drawn upon the state treasury shall be presented at the treasury for payment before the close of the fiscal year next after the fiscal period in which it has been issued. All warrants or checks not so presented within that time shall be deemed to have been paid, and any money held at the expiration of that time in a special fund or account for the payment of the warrants or checks shall thereupon be transferred to a trust fund established and known as the nonpresentment of warrants and checks trust fund; provided that the fund balance in the trust fund shall not exceed \$500,000 and any excess of that amount shall be transferred to the general fund; provided further that within the period of [ten] four fiscal years immediately following the year in which an amount of money was so transferred to the trust fund, the payee or assignee of the warrant or check, or, if the payee is deceased, the personal representative of the estate of the payee, or if the estate of the payee is closed, to any person lawfully entitled to the undisposed property of the deceased payee, upon filing with the comptroller a claim for recovery and any supportive evidence required by the comptroller, shall be paid the amount of the warrant or check out of the trust fund upon a warrant or check newly drawn by the comptroller.”

SECTION 2. Act 221, Session Laws of Hawaii 1994, as amended by Act 60, Session Laws of Hawaii 1995, is amended by amending section 4 to read as follows:

“SECTION 4. This Act shall take effect on July 1, 1994; provided that section 1 shall take effect on June 30, 1994[; and provided further that on July 1, 1996, section 1 of this Act shall be repealed and section 40-68, Hawaii Revised Statutes, shall be reenacted in the form in which it read on June 29, 1994].”

SECTION 3. Statutory material to be repealed is bracketed. New statutory material is underscored.

SECTION 4. This Act shall take effect on June 30, 1996.

(Approved June 12, 1996.)