

ACT 155

H.B. NO. 2899

A Bill for an Act Relating to Judgment Liens.

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

SECTION 1. Section 636-3, Hawaii Revised Statutes, is amended to read as follows:

“§636-3 Judgment, orders, decrees; lien when. Any money judgment, order, or decree of a state court or the United States District Court for the District of Hawaii shall be a lien upon real property when a copy thereof, certified as correct by a clerk of the court where it is entered, is recorded in the bureau of conveyances. No such lien shall continue beyond ~~[ten years after the date of the judgment.]~~ the length of time the underlying judgment, order, or decree is in force. Except as otherwise provided, every judgment shall contain or have endorsed on it the social security number, ~~[State of] the Hawaii~~ ~~[general excise taxpayer]~~ tax identification number, or the federal employer identification number for persons, corporations, partnerships, or other entities against whom the judgment, order, or decree is rendered. If the ~~[judgment]~~ debtor has no social security number, ~~[State of] Hawaii~~ ~~[general excise taxpayer]~~ tax identification number, or federal employer identification number, or if that information is not in the possession of the party seeking registration of the judgment, order, or decree, the judgment, order, or decree shall be accompanied by a certificate that provides that the information does not exist or is not in the possession of the party seeking recordation of the judgment. Failure to disclose or disclosure of an incorrect social security number, ~~[State of] Hawaii~~ ~~[general excise taxpayer]~~ tax identification number, or federal employer identification number shall not in any way adversely affect or impair the lien created upon recordation of the judgment[-], order, or decree. When any ~~[such]~~ judgment, order, or decree is fully paid, the

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creditor or the creditor's attorney of record in the action shall, at the expense of the debtor, execute, acknowledge, and deliver to the debtor a satisfaction thereof, which may be recorded in the bureau. Every satisfaction or assignment of judgment, order, or decree shall contain a reference to the book and page or document number of the registration of the original judgment. The recording fees for a judgment, order, or decree and for each assignment or satisfaction of judgment, order, or decree shall be as provided by section 502-25.

In the case of registered land, section 501-102 and sections 501-241 to 501-248 shall govern.”

SECTION 2. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

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

(Approved May 31, 2006.)