
A BILL FOR AN ACT

RELATING TO KULEANA LANDS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 560:2-105.5, Hawaii Revised Statutes,
2 is amended to read as follows:
3 "**§560:2-105.5 Escheat of kuleana lands.** Any provision of
4 law to the contrary notwithstanding, if the owner of an
5 inheritable interest in kuleana land dies intestate, or dies
6 partially intestate and that partial intestacy includes the
7 decedent's interest in the kuleana land, and if there is no
8 taker under article II, such inheritable interest shall pass to
9 the department of land and natural resources to be held in trust
10 for a period of ten years to allow for any claims to succession
11 or until the office of Hawaiian affairs develops a land
12 management plan for the use and management of [~~such~~] the kuleana
13 properties[~~7~~] and [~~such~~] the plan is approved by the department
14 of land and natural resources[~~-~~], whichever is later. Upon
15 approval, the department of land and natural resources shall
16 transfer [~~such~~] the kuleana properties to the office of Hawaiian
17 affairs. For the purposes of this section, "kuleana lands"
18 means those lands granted to native tenants pursuant to L. 1850,



1 p. 202, entitled "An Act Confirming Certain Resolutions of the
 2 King and Privy Council Passed on the 21st Day of December, A.D.
 3 1849, Granting to the Common People Allodial Titles for Their
 4 Own Lands and House Lots, and Certain Other Privileges", as
 5 originally enacted and as amended."

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 Statutory material to be repealed is bracketed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

8 SECTION 3. This Act shall take effect upon its approval.
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Report Title:

Kuleana lands; 10 year holding period

Description:

Requires the Department of Land and Natural Resources to hold any lands where the owner of an inheritable interest in kuleana lands dies intestate and there is no taker under the Hawaii Probate Code, for 10 years before passing to the Office of Hawaiian Affairs.

