



**GOV. MSG. NO. 1225**

EXECUTIVE CHAMBERS,  
HONOLULU

DAVID Y. IGE  
GOVERNOR

June 19, 2015

The Honorable Ronald D. Kouchi,  
President  
and Members of the Senate  
Twenty-Eighth State Legislature  
State Capitol, Room 409  
Honolulu, Hawai'i 96813

The Honorable Joseph M. Souki,  
Speaker and Members of the  
House of Representatives  
Twenty-Eighth State Legislature  
State Capitol, Room 431  
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Souki, and Members of the Legislature:

This is to inform you that on June 19, 2015, the following bill was signed into law:

HB346 HD1 SD2

RELATING TO THE CIVIL PROCESS  
**ACT 125 (15)**

Sincerely,

A handwritten signature in black ink that reads "David Y. Ige".

DAVID Y. IGE  
Governor, State of Hawai'i

Approved by the Governor

on JUN 19 2015  
HOUSE OF REPRESENTATIVES  
TWENTY-EIGHTH LEGISLATURE, 2015  
STATE OF HAWAII

**ACT 125**  
**H.B. NO.** 346  
H.D. 1  
S.D. 2

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# A BILL FOR AN ACT

RELATING TO THE CIVIL PROCESS.

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

1           SECTION 1. Section 607-4, Hawaii Revised Statutes, is  
2 amended by amending subsection (d) to read as follows:

3           "(d) Fees of sheriff, deputy sheriff, police officer, or  
4 independent civil process server from the department of public  
5 safety's list under section 353C-10 [↔

6           ~~(1) For serving any criminal summons, warrant, attachment,~~  
7           ~~or other criminal process, \$30 effective July 1, 2001.~~  
8           ~~This fee is payable to a sheriff, deputy sheriff, or~~  
9           ~~police officer. Service of criminal summons, warrant,~~  
10           ~~attachment, or other criminal process shall be made~~  
11           ~~only by persons authorized to serve criminal summons.~~

12           ~~(2) For serving any civil summons, warrant, attachment, or~~  
13           ~~other civil process, \$25 effective July 1, 2001.~~

14           ~~(3) For every copy of an attachment and inventory of the~~  
15           ~~property attached, served upon the defendant, \$2.~~

16           ~~(4) For serving any execution, 12 cents for every \$1~~  
17           ~~collected up to \$500, and 7 cents for every \$1 over~~  
18           ~~\$500.~~



- 1       ~~(5) For serving: subpoena, \$25; and subpoena duces tecum~~  
2       ~~or garnishee summons, \$15 effective July 1, 2001.~~
- 3       ~~(6) For every mile of travel, more than one, in serving~~  
4       ~~any process, 40 cents; provided that:~~
- 5       ~~(A) No allowance shall be made where the serving~~  
6       ~~individual uses a conveyance furnished the~~  
7       ~~serving individual by the State, or any political~~  
8       ~~or municipal subdivision thereof;~~
- 9       ~~(B) Where the serving individual serves more than one~~  
10       ~~person in the course of one trip, the serving~~  
11       ~~individual shall not charge, in the aggregate for~~  
12       ~~all services, more than the mileage for the~~  
13       ~~entire trip; and~~
- 14       ~~(C) As far as practicable, in order to minimize the~~  
15       ~~mileage fees for the service, the sheriff or~~  
16       ~~police chief of the serving police officers, or~~  
17       ~~independent civil process servers, where service~~  
18       ~~of process is to be made upon an island other~~  
19       ~~than that upon which is situated the court~~  
20       ~~issuing the process, shall cause the process to~~  
21       ~~be transmitted to the sheriff, deputy sheriff,~~



1           ~~the chief of police, a police officer, or an~~  
2           ~~independent civil process server upon the island~~  
3           ~~of service, who shall make the service upon~~  
4           ~~receipt of the process, and the service shall be~~  
5           ~~valid, notwithstanding that the process may not~~  
6           ~~be addressed to the individual actually making~~  
7           ~~the service or to the individual's superior.~~  
8   ~~In lieu of any fee under this subsection, the fee may be an~~  
9   ~~hourly rate of not less than \$50 per hour agreed upon in advance~~  
10   ~~between the party requesting the service and the sheriff, deputy~~  
11   ~~sheriff, police officer, or independent civil process server~~  
12   ~~performing the service.] shall be as provided under section 607-~~  
13   8(a)."

14           SECTION 2. Section 607-8, Hawaii Revised Statutes, is  
15   amended by amending subsection (a) to read as follows:

16           "(a) For all necessary travel in making the service, per  
17   mile for every mile more than one...[40] 60 cents provided that:

18           (1) No allowance shall be made where the serving  
19           individual uses a conveyance furnished the serving  
20           individual by the State, or any political or municipal  
21           subdivision thereof;



1 (2) Where the serving individual serves more than one  
2 person in the course of one trip, the serving  
3 individual shall not charge, in the aggregate for all  
4 services more than the mileage for the entire trip;  
5 and

6 (3) As far as practicable, in order to minimize the  
7 mileage fees for the service, the sheriff or chief of  
8 police of the serving police officers, or independent  
9 civil process server from the department of public  
10 safety's list under section 353C-10 shall cause the  
11 process to be transmitted to the sheriff, deputy  
12 sheriff, the chief of police, a police officer, or an  
13 independent civil process server upon the island of  
14 service who shall make the service upon receipt of the  
15 process; and the service shall be valid,  
16 notwithstanding that the process may not be addressed  
17 to the individual actually making the service or to  
18 the individual's superior.

19 For serving criminal summons or any other criminal process  
20 except a subpoena, for each person served therewith

21 ..... \$30 effective July 1, 2001. Service of



1 criminal summons or any other criminal process shall be made  
2 only by persons authorized to serve criminal summons.

3 For serving civil summons, subpoena, subpoena duces  
4 tecum, or any other civil process, except [~~a subpoena or~~]  
5 a garnishee summons, for each person served therewith  
6 ..... [~~\$25~~] \$43 effective July 1, [~~2001-~~] 2015.

7 For serving: [~~subpoena, for each person, \$25; and~~  
8 ~~subpoena duces tecum or~~] garnishee summons, for each  
9 person ..... [~~\$15~~] \$30 effective July 1,  
10 [~~2001-~~] 2015.

11 For returning as unserved after due and diligent search any  
12 process when it has been found that the person to be served has  
13 left the State ..... [~~\$5~~] \$10 effective July 1,  
14 [~~2001-~~] 2015.

15 For serving any execution or other process for the  
16 collection of money, for every dollar collected up  
17 to [~~\$1,000~~] \$10,000 ..... 5  
18 cents.

19 And for every dollar over [~~\$1,000~~] \$10,000 ... 2-1/2  
20 cents.



1 All fees paid to any printer for publishing an  
2 advertisement of the sale of any property.

3 For every bill of sale ..... [~~\$2.~~] \$4.

4 For executing and acknowledging a deed pursuant to a  
5 sale of real estate to be paid by the grantee in the  
6 deed..... [~~\$8.~~] \$10.

7 For drawing any bond required by law..... [~~\$2.~~] \$4.

8 For serving writ of possession or restitution,  
9 putting any person entitled into the possession of  
10 premises, and removing a tenant pursuant to order of  
11 court..... [~~\$25.~~] \$40.

12 Together with all necessary expenses incurred by the  
13 individual serving the writ, incident to the eviction.

14 For selling any property on an order from the court other  
15 than an execution, the same allowance as for service and sales  
16 by execution.

17 The fees for service of executions, attachments, and  
18 collection of judgments, together with all costs incurred after  
19 judgment rendered, not included in the judgment, in all courts  
20 of the State, shall be collected in addition to the sum directed  
21 to be levied and collected in the writ.



1 In lieu of any fee under this subsection, the fee may be an  
2 hourly rate of not less than \$50 per hour agreed upon in advance  
3 between the party requesting the service and the sheriff, deputy  
4 sheriff, police officer, or independent civil process server  
5 performing the service."

6 SECTION 3. This Act does not affect rights and duties that  
7 matured, penalties that were incurred, and proceedings that were  
8 begun before its effective date.

9 SECTION 4. Statutory material to be repealed is bracketed  
10 and stricken. New statutory material is underscored.

11 SECTION 5. This Act shall take effect upon its approval;  
12 provided that the amendments made to sections 607-4(d) and 607-  
13 8(a), Hawaii Revised Statutes, under sections 1 and 2 of this  
14 Act, shall not be repealed when those sections are reenacted on  
15 June 30, 2015, pursuant to section 25 of Act 116, Session Laws  
16 of Hawaii 2013.

APPROVED this 19 day of JUN, 2015



GOVERNOR OF THE STATE OF HAWAII

