

Honolulu, Hawaii

APR 08 2015

RE: H.B. No. 87
S.D. 2

Honorable Donna Mercado Kim
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2015
State of Hawaii

Madam:

Your Committee on Judiciary and Labor, to which was referred
H.B. No. 87, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO PUBLIC SAFETY,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Require independent civil process servers to meet additional requirements in order to be placed on the Director of Public Safety's list of qualified civil process servers;
- (2) Shield process servers from prosecution under criminal trespass statutes when performing their duties under certain circumstances; and
- (3) Make permanent Act 116, Session Laws of Hawaii 2013, relating to persons authorized to serve civil legal process.

Your Committee received testimony in support of this measure from the Department of Public Safety; Collection Law Section, Hawaii State Bar Association; Hawaii Process Server Commission; and one individual. Your Committee received comments on this measure from the Department of the Prosecuting Attorney, City and County of Honolulu.



Your Committee finds that process servers are an important part of the judicial process. This measure provides additional process server requirements to improve the quality of civil process servers without placing an undue burden on individuals who seek to be included on the Director of Public Safety's list of qualified civil process servers and allows process servers to enter or remain in or upon the premises of another for the purpose of making a good faith attempt to serve process upon certain individuals.

Your Committee has amended this measure by clarifying the definition of "process server" under the offense of criminal trespass in the second degree.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 87, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 87, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Labor,



GILBERT S.C. KEITH-AGARAN, Chair



