
A BILL FOR AN ACT

RELATING TO STATE PARTITIONS.

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

1 SECTION 1. Section 501-1, Hawaii Revised Statutes, is
2 amended to read as follows:
3 "**§501-1 Court; jurisdiction; proceedings; location; rules,**
4 **practice, etc.** (a) A court is established, called the land
5 court, which shall have exclusive original jurisdiction of all
6 applications for the registration of title to land and easements
7 or rights in land held and possessed in fee simple within the
8 State, with power to hear and determine all questions arising
9 upon such applications, and also have jurisdiction over such
10 other questions as may come before it under this chapter,
11 subject to the rights of appeal under this chapter. The
12 proceedings upon the applications shall be proceedings in rem
13 against the land, and the decrees shall operate directly on the
14 land and vest and establish title thereto.
15 (b) The court shall hold its sittings in Honolulu, but may
16 adjourn from time to time to such other places as the public
17 convenience may require.



1 (c) The court shall have jurisdiction throughout the
2 State, and shall always be open, except on Saturdays, Sundays,
3 and holidays established by law.

4 [~~It is~~] (d) The court shall be a court of record, and
5 shall cause to be made a seal, and to be sealed therewith all
6 orders, process, and papers made by or proceeding from the court
7 and requiring a seal. All notices, orders, and process of the
8 court may run into any judicial circuit and be returnable as the
9 court may direct.

10 (e) The procedure shall conform as near as may be to the
11 practice in the circuit courts, but subject to the express
12 provisions of this chapter and to general laws and rules of
13 court. Forms prescribed by the court before taking effect shall
14 be approved by the supreme court.

15 (f) All actions for partition or easement made by the
16 State shall be given preference over all other applications
17 filed pursuant to this chapter in the matter of setting the
18 actions for hearing or trial, and in hearing them, to the end
19 that all the applications shall be quickly heard and determined.

20 (g) Upon demand for jury trial, issues shall be framed
21 therefor by the circuit judge to whom the case has been



H.B. NO. 653

1 assigned. No other issues shall be presented to the jury, and a
2 special verdict shall be rendered.

3 (h) In this chapter, except where the context requires a
4 different construction, the word "court" or "judge" means the
5 land court, the administrative judge of the circuit court of the
6 first circuit, civil division, or the circuit judge to whom a
7 land court matter is assigned pursuant to section 501-2."

8 SECTION 2. This Act does not affect rights and duties that
9 matured, penalties that were incurred, and proceedings that were
10 begun before its effective date.

11 SECTION 3. Statutory material to be repealed is bracketed
12 and stricken. New statutory material is underscored.

13 SECTION 4. This Act shall take effect upon its approval.
14

INTRODUCED BY:

Paul E. Kay

Shane Be
Carl
Calvin K. Ay
Jerry

JAN 18 2019



H.B. NO. 653

Report Title:

Land Court; Partition; Priority

Description:

Requires that land court actions for partition by the State be given priority.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

