



GOV. MSG. NO. 728

EXECUTIVE CHAMBERS
HONOLULU

LINDA LINGLE
GOVERNOR

May 21, 2008

The Honorable Colleen Hanabusa, President
and Members of the Senate
Twenty-Fourth State Legislature
State Capitol, Room 409
Honolulu, Hawaii 96813

Dear Madam President and Members of the Senate:

This is to inform you that on May 21, 2008, the following bill was signed into law:

SB3092 SD1 HD1 CD1

A BILL FOR AN ACT RELATING TO SOCIAL
SECURITY NUMBER.
(ACT 86)

Sincerely,

A handwritten signature in black ink, appearing to read "Linda Lingle".

LINDA LINGLE

8 MAY 21 2008

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A BILL FOR AN ACT

RELATING TO SOCIAL SECURITY NUMBER.

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

1 SECTION 1. Section 501-151, Hawaii Revised Statutes, is
2 amended to read as follows:

3 **"§501-151 Pending actions, judgments; recording of,**
4 **notice.** No writ of entry, action for partition, or any action
5 affecting the title to real property or the use and occupation
6 thereof or the buildings thereon, and no judgment, nor any
7 appeal or other proceeding to vacate or reverse any judgment,
8 shall have any effect upon registered land as against persons
9 other than the parties thereto, unless a full memorandum
10 thereof, containing also a reference to the number of
11 certificate of title of the land affected is filed or recorded
12 and registered. Except as otherwise provided, every judgment
13 shall contain or have endorsed on it the [~~social security~~
14 ~~number,~~] State of Hawaii general excise taxpayer identification
15 number, [~~or~~] the federal employer identification number, or the
16 last four digits only of the social security number for persons,
17 corporations, partnerships, or other entities against whom the
18 judgment is rendered. If the judgment debtor has no social



1 security number, State of Hawaii general excise taxpayer
 2 identification number, or federal employer identification
 3 number, or if that information is not in the possession of the
 4 party seeking registration of the judgment, the judgment shall
 5 be accompanied by a certificate that provides that the
 6 information does not exist or is not in the possession of the
 7 party seeking registration of the judgment. Failure to disclose
 8 or disclosure of an incorrect social security number, State of
 9 Hawaii general excise taxpayer identification number, or federal
 10 employer identification number shall not in any way adversely
 11 affect or impair the lien created upon recording of the
 12 judgment. This section does not apply to attachments, levies of
 13 execution, or to proceedings for the probate of wills, or for
 14 administration in a probate court; provided that in case notice
 15 of the pendency of the action has been duly registered it is
 16 sufficient to register the judgment in the action within sixty
 17 days after the rendition thereof.

18 As used in this chapter "judgment" includes an order or
 19 decree having the effect of a judgment.

20 Notice of the pendency of an action in a United States
 21 District Court, as well as a court of the State of Hawaii, may
 22 be recorded."



1 SECTION 2. Section 502-33, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "§502-33 Identification of reference to registration of
4 original. The registrar shall not record any instrument
5 requiring a reference to a prior recorded instrument, unless the
6 same contains a reference to the book and page or document
7 number of the registration of the original recorded instrument
8 or a statement that the original instrument is unrecorded, as
9 the case may be. Except as otherwise provided, every judgment
10 shall contain or have endorsed on it the [~~social security~~
11 ~~number,~~] State of Hawaii general excise taxpayer identification
12 number, [~~or~~] the federal employer identification number, or the
13 last four digits only of the social security number for persons,
14 corporations, partnerships, or other entities against whom the
15 judgment is rendered. If the judgment debtor has no social
16 security number, State of Hawaii general excise taxpayer
17 identification number, or federal employer identification
18 number, or if that information is not in the possession of the
19 party seeking registration of the judgment, the judgment shall
20 be accompanied by a certificate that provides that the
21 information does not exist or is not in the possession of the
22 party seeking registration of the judgment. Failure to disclose



1 or disclosure of an incorrect social security number, State of
2 Hawaii general excise taxpayer identification number, or federal
3 employer identification number shall not in any way adversely
4 affect or impair the lien created upon registration of the
5 judgment. No amendment, continuation statement, termination
6 statement, statement of assignment, or statement of release
7 relating to security interests in goods which are or are to
8 become fixtures shall be filed unless it complies with the
9 requirements of part 5 of Article 9 of the Uniform Commercial
10 Code. This section does not apply to any document mentioned
11 herein executed prior to April 13, 1915."

12 SECTION 3. Section 504-1, Hawaii Revised Statutes, is
13 amended to read as follows:

14 "§504-1 **Registration of federal judgments.** Judgments of
15 United States courts may be registered, recorded, docketed, and
16 indexed in the bureau of conveyances or with the assistant
17 registrar of the land court in the same manner as judgments of
18 the courts of the State. Except as otherwise provided, every
19 judgment shall contain or have endorsed on it the [~~social~~
20 ~~security number,~~] State of Hawaii general excise taxpayer
21 identification number, [~~or~~] the federal employer identification
22 number, or the last four digits only of the social security



1 number for persons, corporations, partnerships, or other
2 entities against whom the judgment is rendered. If the judgment
3 debtor has no social security number, State of Hawaii general
4 excise taxpayer identification number, or federal employer
5 identification number, or if that information is not in the
6 possession of the party seeking the registration, recordation,
7 docketing, or indexing of the judgment, the judgment shall be
8 accompanied by a certificate that provides that the information
9 does not exist or is not in the possession of the party seeking
10 registration, recordation, docketing, or indexing of the
11 judgment. Failure to disclose or disclosure of an incorrect
12 social security number, State of Hawaii general excise taxpayer
13 identification number, or federal employer identification number
14 shall not in any way adversely affect or impair the lien created
15 upon the registration, recordation, docketing, or indexing of
the judgment."

17 SECTION 4. Section 636-3, Hawaii Revised Statutes, is
18 amended to read as follows:

19 "**§636-3 Judgment, orders, decrees; lien when.** Any money
20 judgment, order, or decree of a state court or the United States
21 District Court for the District of Hawaii shall be a lien upon
22 real property when a copy thereof, certified as correct by a



1 clerk of the court where it is entered, is recorded in the
2 bureau of conveyances. No such lien shall continue beyond the
3 length of time the underlying judgment, order, or decree is in
4 force. Except as otherwise provided, every judgment shall
5 contain or have endorsed on it [~~the social security number,~~] the
6 Hawaii tax identification number, [~~or~~] the federal employer
7 identification number, or the last four digits only of the
8 social security number for persons, corporations, partnerships,
9 or other entities against whom the judgment, order, or decree is
10 rendered. If the debtor has no social security number, Hawaii
11 tax identification number, or federal employer identification
12 number, or if that information is not in the possession of the
13 party seeking registration of the judgment, order, or decree,
14 the judgment, order, or decree shall be accompanied by a
15 certificate that provides that the information does not exist or
16 is not in the possession of the party seeking recordation of the
17 judgment. Failure to disclose or disclosure of an incorrect
18 social security number, Hawaii tax identification number, or
19 federal employer identification number shall not in any way
20 adversely affect or impair the lien created upon recordation of
21 the judgment, order, or decree. When any judgment, order, or
22 decree is fully paid, the creditor or the creditor's attorney of



1 record in the action shall, at the expense of the debtor,
2 execute, acknowledge, and deliver to the debtor a satisfaction
3 thereof, which may be recorded in the bureau. Every
4 satisfaction or assignment of judgment, order, or decree shall
5 contain a reference to the book and page or document number of
6 the registration of the original judgment. The recording fees
7 for a judgment, order, or decree and for each assignment or
8 satisfaction of judgment, order, or decree shall be as provided
9 by section 502-25.

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

12 SECTION 5. This Act shall not be applied to any judgments,
13 orders, or decrees existing and filed or recorded in the bureau
14 of conveyances or land court as of the effective date of this
15 Act.

16 SECTION 6. Statutory material to be repealed is bracketed
17 and stricken. New statutory material is underscored.

18 SECTION 7. This Act shall take effect on July 1, 2008.

APPROVED this 21 day of MAY, 2008



GOVERNOR OF THE STATE OF HAWAII

