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# A BILL FOR AN ACT

RELATING TO ELECTRONIC PERMITTING FEES.

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

1           SECTION 1. The purpose of this Act is to allow certain  
2 environmental programs of the department of health to conduct  
3 business electronically and withhold sufficient funds to cover  
4 the cost of electronic or credit card provider services.

5           SECTION 2. Chapter 321, Hawaii Revised Statutes is amended  
6 by adding a new section to be appropriately designated and to  
7 read as follows:

8           "§321- Fees for electronic permits. (a) Any  
9 departmental program that collects fees for the issuance of  
10 permits, licenses, certificates, or similar approvals, under  
11 chapters 342D, 342E, 342F, 342H, 342J, or 342L, and is required  
12 to deposit those fees to the credit of the general fund, may  
13 first deduct any applicable electronic or credit card processing  
14 fee or charge owed by the department to an electronic or credit  
15 card service provider.

16           (b) For the purposes of this section, the term "credit  
17 card" includes credit cards, charge cards, and debit cards.



1        (c) A person making an electronic or credit card payment  
2 to the department shall remain liable for the underlying  
3 obligation except to the extent that the department collects  
4 final payment of the underlying obligation in cash or an  
5 equivalent.

6        If the credit card issuer, bank, or other guarantor of  
7 payment in the transaction does not pay the department and the  
8 underlying obligation survives, the department shall retain all  
9 remedies for enforcement that would have applied if the  
10 transaction had not occurred.

11        The underlying obligor shall not be liable for any  
12 electronic or credit card processing fee or charge paid by the  
13 department to an electronic service provider, credit card  
14 issuer, or party."

15        SECTION 3. New statutory material is underscored.

16        SECTION 4. This Act shall take effect upon its approval.



**Report Title:**

Electronic Permitting Fees

**Description:**

Allows certain department of health environmental programs to conduct business electronically and withhold sufficient funds to cover the cost of electronic or credit card provider services.

(HB3151 HD1)

