JAN 2 4 2013

A BILL FOR AN ACT

RELATING TO CIRCUIT COURTS.

2013-0914 SB SMA.doc

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

The Hawaii Revised Statutes is amended by 1 SECTION 1. adding a new chapter to be appropriately designated and to read 2 3 as follows: "CHAPTER 4 ELECTRONIC CITATIONS 5 -1 Definitions. For the purposes of this chapter: S "Electronic citation" means the process of transmitting 7 traffic, misdemeanor, municipal ordinance, conservation, or 8 other citations and law enforcement data via electronic means to 9 a circuit court clerk. 10 Electronic citation fee. The circuit court clerks 11 12 shall impose a fee of \$5 for electronic citation court costs 13 upon every defendant in any traffic, misdemeanor, municipal ordinance, or conservation citation issued upon a plea of 14 15 quilty, judgment of guilty, or grant of supervision. This fee shall be in addition to all other fees or charges. Sixty per 16 cent of all fees shall be deposited into the circuit court clerk 17 electronic citation fund, and forty per cent of all fees shall 18

S.B. NO.1252

- 1 be disbursed to the arresting agency to defray expenses related
- 2 to the establishment and maintenance of electronic citations.
- 3 § -3 Circuit court clerk electronic citation fund;
- 4 established. (a) There is established in the state treasury
- 5 the circuit court clerk electronic citation fund into which
- 6 shall be deposited fees collected pursuant to section -2.
- 7 (b) The circuit court clerk shall be the custodian, ex
- 8 officio, of the circuit court clerk electronic citation fund and
- 9 shall use the fund to establish and maintain electronic
- 10 citations.
- 11 (c) All unexpended and unencumbered moneys remaining in
- 12 the circuit court clerk electronic citation fund at the close of
- 13 each fiscal year that are deemed, by the director of finance, to
- 14 be in excess of the moneys necessary to carry out the purpose of
- 15 this section over the next following fiscal year shall lapse to
- 16 the credit of the state general fund.
- 17 (d) The circuit court clerk shall not collect an
- 18 electronic fee if the county board has by ordinance elected not
- 19 to be subject to this section."
- 20 SECTION 2. This Act does not affect rights and duties that
- 21 matured, penalties that were incurred, and proceedings that were
- 22 begun, before the effective date of this Act.

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SECTION 3. This Act shall take effect on July 1, 2013.

INTRODUCED BY: Will Engro BR

S.B. NO. 1252

Report Title:

Circuit Court Clerk Electronic Citation Fund; Fee

Description:

Establishes the circuit court clerk electronic citation fund. Imposes a fee of \$5 for electronic citation court costs upon every defendant in any traffic, misdemeanor, municipal ordinance, or conservation citation issued upon a plea of guilty, judgment of guilty, or grant of supervision.

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