
A BILL FOR AN ACT

RELATING TO CITATIONS.

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

1 SECTION 1. Chapter 291, Hawaii Revised Statutes, is
2 amended by adding a new section to part I to be appropriately
3 designated and to read as follows:

4 "§291- Electronic citation surcharge. (a) In addition
5 to any other civil penalties ordered by the court, a person who
6 violates any provision under this part shall be ordered to pay
7 an electronic citation surcharge of \$5; provided that this
8 subsection shall become inoperative on January 1, 2027.

9 (b) The person shall pay the surcharge to the clerk of the
10 court. The surcharge shall be deposited with the director of
11 finance, who shall credit the surcharge to the electronic
12 citation special fund established under section 291C-C."

13 SECTION 2. Chapter 291C, Hawaii Revised Statutes, is
14 amended by adding a new part to be appropriately designated and
15 to read as follows:



1 **"PART . ELECTRONIC CITATION PROGRAM**

2 **§291C-A Definition.** As used in this part, "electronic
3 citation" means the process of transmitting traffic,
4 misdemeanor, or other citations and law enforcement data via
5 electronic means to the clerk of the court.

6 **§291C-B Electronic citation surcharge.** (a) In addition
7 to any other civil penalties ordered by the court, a person who
8 violates any provision under this chapter shall be ordered to
9 pay an electronic citation surcharge of \$5; provided that this
10 subsection shall become inoperative on January 1, 2027.

11 (b) The person shall pay the surcharge to the clerk of the
12 court, who shall credit the surcharge to the electronic citation
13 special fund established under section 291C-C.

14 **§291C-C Electronic citation program; electronic citation**
15 **special fund; establishment.** (a) There is established, within
16 the judiciary, an electronic citation program that shall be
17 funded and sustained through the electronic citation special
18 fund.

19 (b) There is established in the state treasury the
20 electronic citation special fund, into which shall be deposited:



1 (1) Electronic citation fees collected pursuant to traffic
2 misdemeanors or other violations;

3 (2) Appropriations by the legislature to the special fund;
4 and

5 (3) All moneys received from public or private sources for
6 the purposes of this fund.

7 (c) Moneys in the electronic citation special fund shall
8 be distributed by the judiciary, in accordance with rules
9 adopted pursuant to subsection (d), to the respective law
10 enforcement agencies and the administrative director of the
11 courts to defray expenses related to the establishment and
12 maintenance of the electronic citation program.

13 (d) The judiciary shall adopt rules to implement this
14 section. The rules shall establish a formula by which the
15 moneys in the electronic citation special fund shall be
16 distributed to the respective law enforcement agencies and the
17 administrative director of the courts and provide how each shall
18 expend the moneys for the purposes of an electronic citation
19 program."

20 SECTION 3. Section 291D-9, Hawaii Revised Statutes, is
21 amended by amending subsection (c) to read as follows:



1 "(c) In addition to any monetary assessment imposed for a
2 traffic infraction[7] and the cost for an electronic citation
3 surcharge, the court may impose additional assessments for:

4 (1) Failure to pay a monetary assessment by the scheduled
5 date of payment; or

6 (2) The cost of service of a penal summons issued pursuant
7 to this chapter."

8 SECTION 4. In codifying the new sections added by
9 section 2 and referenced in section 1 of this Act, the revisor
10 of statutes shall substitute appropriate section numbers for the
11 letters used in designating the new sections in this Act.

12 SECTION 5. This Act does not affect rights and duties that
13 matured, penalties that were incurred, and proceedings that were
14 begun before its effective date.

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

17 SECTION 7. This Act shall take effect on January 1, 2022.



H.B. NO. 1377
H.D. 1
S.D. 2
C.D. 1

Report Title:

Electronic Citation Program; Surcharge; Appropriation

Description:

Creates an electronic citation program under the judiciary and establishes a temporary electronic citation surcharge. Effective 1/1/2022. (CD1)

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