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# A BILL FOR AN ACT

RELATING TO THE JUDICIARY.

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

1                                   **PART I. GENERAL PROVISIONS**

2           SECTION 1. This Act shall be known and may be cited as the  
3 Judiciary Appropriations Act of 2023.

4           SECTION 2. Unless otherwise clear from the context, as  
5 used in this Act:

6           "Means of Financing," or "MOF," means the source from which  
7 funds are appropriated, or authorized, as the case may be, to be  
8 expended for the programs and projects specified in this Act.

9 All appropriations are followed by letter symbols. The letter  
10 symbols, where used, shall have the following meanings:

11           A    General funds

12           B    Special funds

13           C    General obligation bond funds

14           W    Revolving funds

15           "Position ceiling" means the maximum number of permanent or  
16 temporary positions authorized for a particular program during a



1 specified period or periods, as noted by an asterisk or pound  
2 sign, respectively.

3 "Program ID" means the unique identifier for the specific  
4 program and consists of the abbreviation for the judiciary (JUD)  
5 followed by a designated number for the program.

6 **PART II. PROGRAM APPROPRIATIONS**

7 SECTION 3. The following sums, or so much thereof as may  
8 be sufficient to accomplish the purposes and programs designated  
9 herein, are appropriated or authorized from the sources of  
10 funding specified to the judiciary for the fiscal biennium  
11 beginning July 1, 2023, and ending June 30, 2025. The total  
12 expenditures and the number of permanent and temporary positions  
13 established in each fiscal year of the fiscal biennium shall not  
14 exceed the sums and the position ceilings indicated for each  
15 year, except as provided in this Act.



PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS			
				FISCAL YEAR 2023-2024	M O F	FISCAL YEAR 2024-2025	M O F
1	The Judicial System						
2	1.	JUD101 - COURTS OF APPEAL					
3				82.00 *		82.00 *	
4				1.48 #		1.48 #	
5		OPERATING	JUD	8,649,904 A		8,960,647 A	
6							
7	2.	JUD310 - FIRST JUDICIAL CIRCUIT					
8				1,107.50 *		1,107.50 *	
9				64.58 #		64.58 #	
10		OPERATING	JUD	93,105,873 A		95,882,877 A	
11				35.00 *		35.00 *	
12			JUD	4,177,883 B		4,261,273 B	
13							
14	3.	JUD320 - SECOND JUDICIAL CIRCUIT					
15				210.50 *		210.50 *	
16				1.68 #		1.68 #	
17		OPERATING	JUD	18,951,497 A		19,499,447 A	
18							
19	4.	JUD330 - THIRD JUDICIAL CIRCUIT					
20				242.00 *		242.00 *	
21				5.20 #		5.20 #	
22		OPERATING	JUD	23,437,911 A		24,063,817 A	
23							
24	5.	JUD350 - FIFTH JUDICIAL CIRCUIT					
25				103.00 *		103.00 *	
26				2.60 #		2.60 #	
27		OPERATING	JUD	8,755,791 A		9,004,028 A	
28							
29	6.	JUD501 - JUDICIAL SELECTION COMMISSION					
30				1.00 *		1.00 *	
31		OPERATING	JUD	110,099 A		114,074 A	
32							
33	7.	JUD601 - ADMINISTRATION					
34				228.00 *		228.00 *	
35				8.48 #		8.48 #	
36		OPERATING	JUD	31,380,192 A		31,487,742 A	
37				1.00 *		1.00 *	
38				9.00 #		9.00 #	
39			JUD	8,195,369 B		8,241,219 B	
40			JUD	343,261 W		343,261 W	
41		INVESTMENT CAPITAL	JUD	20,450,000 C			C
42							



**PART III. PROGRAM PROVISIONS**

SECTION 4. Provided that out of the general fund appropriation for administration (JUD601), the sum of \$447,207 or so much thereof as may be necessary for fiscal year 2023-2024 and the same sum or so much thereof as may be necessary for fiscal year 2024-2025 shall be expended to increase the amount of moneys available for nonprofit organizations providing legal and social services through purchase of service contracts throughout the judiciary; provided further that the chief justice may transfer these funds to other program IDs as needed.

SECTION 5. Provided that whenever the need arises, the chief justice, in administering an equitable and expeditious judicial process, may transfer sufficient funds and positions between programs for operating purposes; and provided further that no transfer shall be made to implement any collective bargaining contract signed after this legislature adjourns sine die.

SECTION 6. Provided that if the chief justice, or any agency or government unit, secures federal funds or other property under any act of Congress, or any funds or other property from private organizations or individuals, to be



1 expended in connection with any program or works authorized by  
2 this Act or otherwise, the chief justice, or the agency or  
3 government unit with the chief justice's approval, may enter  
4 into the undertaking with the federal government, private  
5 organization, or individual.

6 SECTION 7. Provided that the judiciary may transfer  
7 savings from its general fund appropriation to the driver  
8 education and training fund to accommodate any temporary cash  
9 flow deficits.

10 **PART IV. CAPITAL IMPROVEMENT PROJECTS**

11 SECTION 8. The sum of \$20,450,000 appropriated or  
12 authorized in part II of this Act for capital improvement  
13 projects shall be expended by the judiciary for the projects  
14 listed below; provided that several related or similar projects  
15 may be combined into a single project, if a combination is  
16 advantageous or convenient for implementation; provided further  
17 that the total cost of the projects thus combined shall not  
18 exceed the total of the sums specified for the projects  
19 separately. The amount after each cost element and the total  
20 funding for each project listed in this part are in thousands of  
21 dollars.



**CAPITAL IMPROVEMENT PROJECTS**

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)			
				FISCAL YEAR 2023-2024	M O F	FISCAL YEAR 2024-2025	M O F
1	A.	ECONOMIC DEVELOPMENT					
2	JUD601	- ADMINISTRATION					
3							
4	1.	KAAHUMANU HALE ELEVATOR SYSTEMS					
5		UPGRADES AND MODERNIZATION, OAHU					
6							
7		CONSTRUCTION FOR ELEVATOR SYSTEMS					
8		UPGRADES AND MODERNIZATION AT KAAHUMANU					
9		HALE, OAHU.					
10		TOTAL FUNDING	JUD	10,000	C		C
11							
12	2.	HOAPILI HALE REDIRECTION OF					
13		CONDENSATE, MAUI					
14							
15		PLANS AND DESIGN FOR REDIRECTION OF					
16		CONDENSATE DISCHARGE AT HOAPILI HALE,					
17		MAUI.					
18		TOTAL FUNDING	JUD	300	C		C
19							
20	3.	KAUAI JUDICIARY COMPLEX REROOFING AND					
21		RELATED IMPROVEMENTS PHASE 3, KAUAI					
22							
23		DESIGN AND CONSTRUCTION TO REROOF AND					
24		REPAIR LEAKS AND DAMAGES AT KAUAI					
25		JUDICIARY COMPLEX, KAUAI.					
26		TOTAL FUNDING	JUD	4,150	C		C
27							
28	4.	ALIOLANI HALE A/C REPLACEMENT, OAHU					
29							
30		CONSTRUCTION AND EQUIPMENT FOR A/C					
31		SYSTEM REPLACEMENT AT ALIOLANI HALE,					
32		OAHU.					
33		TOTAL FUNDING	JUD	3,000	C		C
34							
35							



**CAPITAL IMPROVEMENT PROJECTS**

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)			
				FISCAL YEAR 2023-2024	M O F	FISCAL YEAR 2024-2025	M O F

1	5.	LUMP SUM CIP FOR JUDICIARY					
2		FACILITIES, STATEWIDE					
3							
4		PLANS, DESIGN, CONSTRUCTION AND					
5		EQUIPMENT FOR GENERAL ALTERATIONS,					
6		UPGRADES AND IMPROVEMENTS TO JUDICIARY					
7		FACILITIES, STATEWIDE.					
8		TOTAL FUNDING	JUD		3,000	C	C
9							
10							



1                                   **PART V.   ISSUANCE OF BONDS**

2           SECTION 9.   General obligation bonds may be issued, as  
3 provided by law, to yield the amount that may be necessary to  
4 finance projects authorized in part II and listed in part IV of  
5 this Act; provided that the sum total of the general obligation  
6 bonds so issued shall not exceed \$20,450,000.

7                                   **PART VI.   SPECIAL PROVISIONS**

8           SECTION 10.   Any law or any provision of this Act to the  
9 contrary notwithstanding, the appropriations made for capital  
10 improvement projects authorized in part II and listed in part IV  
11 of this Act shall not lapse at the end of the fiscal year for  
12 which the appropriations are made; provided that all  
13 appropriations made for fiscal year 2023-2024 and fiscal year  
14 2024-2025 that are unencumbered as of June 30, 2026, shall lapse  
15 as of that date.

16           SECTION 11.   The judiciary may delegate to other state or  
17 county agencies the planning, acquisition of land, design,  
18 construction, and equipment of any capital improvement project  
19 when it is determined by the judiciary to be advantageous to do  
20 so.





1 SECTION 12. All unrequired balances in the general  
2 obligation bond fund, after the objectives of part II  
3 appropriations for capital improvements program purposes listed  
4 as projects in part IV of this Act have been met, shall be  
5 transferred to the judiciary project adjustment fund.

6 SECTION 13. If the amount allocated from the general  
7 obligation bond fund for a capital improvement project listed in  
8 part IV of this Act is insufficient, the chief justice may make  
9 supplemental allotments from the judiciary project adjustment  
10 fund; provided that supplemental allotments shall not be used to  
11 increase the scope of the project.

12 SECTION 14. Where it has been determined that changed  
13 conditions, such as a reduction in the particular population  
14 being served, permit the reduction in the scope of a project  
15 listed in part IV of this Act, the chief justice may authorize  
16 such reduction of project scope.

17 SECTION 15. The chief justice shall determine when and the  
18 manner in which the authorized capital improvement projects  
19 shall be initiated. The chief justice shall notify the governor  
20 from time to time of the specific amounts required for the



1 projects, and the governor shall provide for those amounts  
2 through the issuance of bonds authorized in part V of this Act.

3 SECTION 16. Any law or any provision of this Act to the  
4 contrary notwithstanding, the chief justice may supplement funds  
5 for any cost element for a capital improvement project  
6 authorized under this Act by transferring such sums as may be  
7 needed from the funds appropriated for other cost elements of  
8 the same project by this Act or by any other prior or future Act  
9 that has not lapsed; provided that the total expenditure of  
10 funds for all cost elements for the project shall not exceed the  
11 total appropriation for that project.

12 **PART VII. MISCELLANEOUS PROVISIONS AND**

13 **EFFECTIVE DATE**

14 SECTION 17. If any portion of this Act or its application  
15 to any person or circumstances is held to be invalid for any  
16 reason, the remainder of this Act and any provision thereof  
17 shall not be affected. If any portion of a specific  
18 appropriation is held to be invalid for any reason, the  
19 remaining portion shall be independent of the invalid portion  
20 and shall be expended to fulfill the objective and intent of the  
21 appropriation to the extent possible.



1           SECTION 18. If any manifest clerical, typographical, or  
2 other mechanical error is found in this Act, the chief justice  
3 may correct the error. All changes made pursuant to this  
4 section shall be reported to the legislature at its next regular  
5 session.

6           SECTION 19. This Act shall take effect on July 1, 2023.



**Report Title:**

Judiciary Package; Appropriations; Budget

**Description:**

Appropriates funds for the Judiciary for the fiscal biennium beginning 7/1/2023 and ending 6/30/2025. (SD1)

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

