

S.B. NO. 3169

1 apostille certification issued. The office of the lieutenant
2 governor shall establish fees pursuant to section -4.

3 (b) Moneys collected for the issuance of apostilles or
4 non-apostille certifications shall be deposited into the
5 apostilles and certifications special fund established pursuant
6 to section -3.

7 § -3 **Apostilles and certifications special fund;**

8 **established.** (a) There is established in the state treasury
9 the apostilles and certifications special fund, which shall be
10 administered by the office of the lieutenant governor.

11 (b) The following shall be deposited into the special
12 fund:

13 (1) All fees collected pursuant to section -2;

14 (2) Any interest earned or accrued on moneys in the
15 special fund; and

16 (3) Moneys appropriated by the legislature.

17 (c) The office of the lieutenant governor may expend
18 moneys in the apostilles and certifications special fund for
19 operational and administrative expenses of the apostille and
20 certification of document services, including but not limited to
21 modernization, postage, and supplies.

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1 § -4 Rules. The office of the lieutenant governor shall
2 adopt rules pursuant to chapter 91 to implement this chapter,
3 including setting a fee for the issuance of an apostille or a
4 non-apostille certification."

5 SECTION 3. There is appropriated out of the general
6 revenues of the State of Hawaii the sum of \$12,000 or so much
7 thereof as may be necessary for fiscal year 2024-2025 to be
8 deposited into the apostilles and certifications special fund.

9 SECTION 4. There is appropriated out of the apostilles and
10 certifications special fund the sum of \$12,000 or so much
11 thereof as may be necessary for fiscal year 2024-2025 for
12 operational and administrative expenses of the apostille and
13 certification of document services.

14 The sum appropriated shall be expended by the office of the
15 lieutenant governor for the purposes of this Act.

16 SECTION 5. This Act, upon its approval, shall take effect
17 on July 1, 2024.

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INTRODUCED BY: 

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BY REQUEST

S.B. NO. 3169

Report Title:

Apostilles; Certifications; Fees; Special Fund; Appropriation

Description:

Establishes the Apostilles and Certifications Special Fund. Requires the Office of the Lieutenant Governor to set a fee for the issuance of an apostille or a non-apostille certification by administrative rules. Appropriates funds into and out of the special fund.

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

JUSTIFICATION SHEET **SB. NO. 3169**

DEPARTMENT: Lieutenant Governor.

TITLE: A BILL FOR AN ACT RELATING TO THE CERTIFICATION OF DOCUMENTS.

PURPOSE: To establish the Apostilles and Certifications Special Fund and require the Office of the Lieutenant Governor to set a fee for the issuance of an apostille or a non-apostille certification by administrative rules.

MEANS: Adds a new chapter to Hawaii Revised Statutes and appropriates funds.

JUSTIFICATION: The bill will allow the Office of the Lieutenant Governor to deposit fees generated by apostilles and certifications into the Apostilles and Certifications Special Fund to assist with modernization and operational expenses, including postage and supplies.

The Lieutenant Governor annually provides approximately 10,000 authentication services for all public and general documents that are used overseas, including powers of attorney, marriage certificates, birth certificates, divorce decrees, probated and un-probated wills, judgments, agreements, transcripts, and more.

The Office of the Lieutenant Governor is currently unable to accept credit card or web-based payment to authenticate documents and those seeking an apostille or certification must pay \$1 per authentication in cash or obtain a cashier's check that most banks charge \$15 to process. The Apostilles and Certifications Special Fund will ensure the Office of the Lieutenant Governor can execute its constitutional obligations and modernize its processes to best serve the public in a cost-effective and convenient manner. Deposits into the

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Apostilles and Certifications Special Fund will defray increases in costs, including U.S. and international postage and supplies.

Impact on the public: Improved efficiency to certify documents will help to improve services provided to the public. The bill also ensures that the general public will not subsidize the cost of providing apostille and certification services to users.

Impact on the department and other agencies: The bill will provide the ability for the Office of the Lieutenant Governor to acquire funds to assist with modernization and operational expenses. Improved intake and operations could eventually lead to more efficient processes at other departments, such as the Department of Health, that route certification requests to the Office of the Lieutenant Governor.

GENERAL FUND: \$12,000.

In addition, all moneys collected from fees, current estimation of \$10,000 per year, on or after July 1, 2024, shall be deposited into the Apostilles and Certifications Special Fund instead of credited to the general fund.

OTHER FUNDS: The Apostilles and Certifications Special Fund.

PPBS PROGRAM DESIGNATION: LTG 100.

OTHER AFFECTED AGENCIES: Department of Budget and Finance.

EFFECTIVE DATE: July 1, 2024.