

ACT 121

H.B. NO. 2496

A Bill for an Act Relating to Services for the Indigent.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Act 305, Session Laws of Hawaii 1996, section 2, is amended by amending subsection (c) to read as follows:

“(c) There is established a special fund to be known as the indigent legal assistance fund. The funds raised under subsections (a) and (b) shall be transmitted to the administrative director of the courts and deposited in the indigent legal assistance fund. All unobligated or unexpended funds as of June 30, [1999,] 2002, shall revert to the general fund. Upon final disbursement of the remaining balances to the general fund on June 30, [1999,] 2002, the indigent legal assistance fund shall be terminated.”

SECTION 2. Act 305, Session Laws of Hawaii 1996, section 2, is amended by amending subsection (d) to read as follows:

“(d) This fund shall be administered by the [office of community services,] administrative director of the courts, or pursuant to contract with the [office of community services.] administrative director of the courts. If the fund is administered pursuant to contract with the [office of community services,] administrative director of the courts, the contractor shall be a nonprofit organization that has at least one year's experience in administering grants to providers of civil legal services for indigents. The fund administrator shall receive not more than five per cent of the total amount collected under this section each fiscal year as compensation for performing the duties under this section.”

SECTION 3. Act 305, Session Laws of Hawaii 1996, is amended by amending section 3 to read as follows:

“SECTION 3. The commission on access to justice shall annually review the filing fee surcharge program created by this Act to determine whether it is meeting the civil legal needs of indigent persons and shall present its findings and recommendations to the legislature no later than January 1[, 1998.] of each year.”

SECTION 4. Act 305, Session Laws of Hawaii 1996, is amended by amending section 6 to read as follows:

“SECTION 6. This Act shall take effect on July 1, 1996, and shall be repealed on June 30, [1999,] 2002.”

SECTION 5. Statutory material to be repealed is bracketed. New statutory material is underscored.

SECTION 6. This Act shall take effect upon its approval.

(Approved June 22, 1998.)