

ACT 125

S.B. NO. 1082

A Bill for an Act Relating to the Bureau of Conveyances.

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

SECTION 1. Chapter 501, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

**“§501- Fees received at the bureau of conveyances.** Notwithstanding any other law to the contrary, of the fees received at the bureau of conveyances, the registrar of conveyances shall deposit to the credit of the state general fund \$23 for each document recorded and shall deposit the remaining balance and all fees other than the special mortgage recording fee established pursuant to section 431P-16 and conveyance tax collected pursuant to section 247-1 to the credit of the bureau of conveyances special fund established under section 502- .”

SECTION 2. Chapter 502, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

**“§502- Bureau of conveyances special fund.** (a) There is established in the state treasury the bureau of conveyances special fund, into which shall be deposited the revenues remitted pursuant to sections 501- and 502-25, interest earnings, grants, donations, and appropriations from the legislature that shall be held separate and apart from all other moneys, funds, and accounts in the state treasury.

(b) Moneys in the bureau of conveyances special fund shall be used by the bureau of conveyances for the following purposes:

- (1) Planning, design, construction, and acquisition of equipment, furnishings, and software necessary for the development of the recording system described in this chapter and chapter 501;
- (2) Operating, maintaining, and improving the recording system described in this chapter and chapter 501 or any other purpose deemed necessary by the bureau of conveyances for the purpose of planning, improving, developing, operating, and maintaining the recording system described in this chapter and chapter 501;
- (3) Permanent and temporary staff positions for the purposes of this chapter and chapter 501; and
- (4) Administrative costs for the purposes of this chapter and chapter 501.”

SECTION 3. Section 502-25, Hawaii Revised Statutes, is amended to read as follows:

**“§502-25 Fees.** (a) Except when otherwise provided, fees for services rendered under this chapter shall be established by rules adopted by the department of land and natural resources, pursuant to chapter 91.

(b) Notwithstanding any other law to the contrary, of the fees received at the bureau of conveyances, the registrar of conveyances shall deposit to the credit of the state general fund \$23 for each document recorded and shall deposit the remaining balance and all fees other than the special mortgage recording fee established pursuant to section 431P-16 and conveyance tax collected pursuant to section 247-1 to the credit of the bureau of conveyances special fund established under section 502-

(b) (c) For recordation of the document of which the United States, State of Hawaii, or any county of the State of Hawaii[,] is the grantee, no fees shall be charged.”

SECTION 4. Section 502-27, Hawaii Revised Statutes, is amended to read as follows:

**“[[§502-27]] Charges.** [The registrar may authorize any person or agency to use original microfilms of documents recorded in the bureau of conveyances or filed in the office of the assistant registrar of the land court for the purpose of making duplicates of such microfilms. A charge of two cents per frame for each duplicate film shall be paid to the State; provided that no such charge shall be assessed against any agency of the State of Hawaii or counties thereof.

In addition all costs for duplicating said microfilms shall be borne by the person or agency requesting the use of the microfilms.

All moneys received by the registrar under this section shall be deposited in the general fund of the State.]

(a) Except when otherwise provided, fees for the use of microfilms of documents recorded in the bureau of conveyances for the purpose of making duplicates shall be established by rules adopted by the department of land and natural resources pursuant to chapter 91.

(b) Frame charges for duplicating microfilm shall not be assessed against any agency of the State or counties thereof.”

SECTION 5. Act 203, Session Laws of Hawaii 1997, is repealed.

SECTION 6. The director of finance shall transfer the unexpended balance, including encumbrances and accrued liabilities, of the bureau of conveyances equipment modernization special fund as of the close of business on June 30, 1999, to the credit of the bureau of conveyances special fund. Encumbered moneys shall continue to be encumbered until paid out or released from prior encumbrances.

SECTION 7. Statutory material to be repealed is bracketed. New statutory material is underscored.<sup>1</sup>

SECTION 8. This Act shall take effect on June 29, 1999, except that sections 1, 3, 4, and 5 shall take effect on July 1, 1999.

(Approved June 25, 1999.)

**Note**

1. Edited pursuant to HRS §23G-16.5.