A BILL FOR AN ACT

RELATING TO THE CERTIFICATION OF DOCUMENTS.

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

- SECTION 1. The Hawaii Revised Statutes is amended by

 adding a new chapter to be appropriately designated and to read

 s follows:

 "CHAPTER

 APOSTILLES AND CERTIFICATIONS

 S -1 Definitions. As used in this chapter, unless the
- 6 § -1 Definitions. As used in this chapter, unless the
 7 context otherwise requires:
- 8 "Apostille" means a certification issued to authenticate9 documents pursuant to the Hague Treaty.
- 10 "Hague Treaty" refers to the convention, adopted in the
- 11 Hague in 1961, that created a simplified form of document
- 12 certification for countries that joined the convention.
- "Non-apostille certification" means a certification issued
- 14 by the lieutenant governor to authenticate a document for a
- 15 country that does not recognize the Hague Treaty.
- 16 **S** -2 **Fee.** (a) The office of the lieutenant governor
- 17 shall charge and collect a fee for each apostille or non-

- 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
- 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 S -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 2. There is appropriated out of the general
- 6 revenues of the State of Hawaii the sum of \$ 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 established pursuant to section -3, Hawaii Revised Statutes.
- 10 SECTION 3. There is appropriated out of the apostilles and
- 11 certifications special fund established pursuant to
- 12 section -3, Hawaii Revised Statutes, the sum of \$ or
- 13 so much thereof as may be necessary for fiscal year 2024-2025
- 14 for operational and administrative expenses of the apostille and
- 15 certification of document services.
- 16 The sum appropriated shall be expended by the office of the
- 17 lieutenant governor for the purposes of this Act.
- 18 SECTION 4. In accordance with section 9 of article VII of
- 19 the Hawaii State Constitution and sections 37-91 and 37-93,
- 20 Hawaii Revised Statutes, the legislature has determined that the
- 21 appropriations contained in H.B. No. , will cause the state

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- 1 general fund expenditure ceiling for fiscal year 2024-2025 to be
- 2 exceeded by \$ or per cent. In addition, the
- 3 appropriation contained in this Act will cause the general fund
- 4 expenditure ceiling for fiscal year 2024-2025 to be further
- 5 exceeded by \$ or per cent. The combined total
- 6 amount of general fund appropriations contained in only these
- 7 two Acts will cause the state general fund expenditure ceiling
- 8 for fiscal year 2024-2025 to be exceeded by \$
- 9 or per cent. The reasons for exceeding the general fund
- 10 expenditure ceiling are that:
- 11 (1) The appropriation made in this Act is necessary to
- serve the public interest; and
- 13 (2) The appropriation made in this Act meets the needs
- 14 addressed by this Act.
- 15 SECTION 5. This Act shall take effect on July 1, 2491.

Report Title:

Office of the Lieutenant Governor; Apostilles; Certifications; Fees; Special Fund; Rules; General Fund Expenditure Ceiling Exceeded; Appropriations

Description:

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. Establishes the Apostilles and Certifications Special Fund. Appropriates funds into and out of the special fund. Declares that the appropriation exceeds the state general fund expenditure ceiling for 2024-2025. Effective 7/1/2491. (SD2)

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