
A BILL FOR AN ACT

RELATING TO CITATIONS.

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

1 SECTION 1. Chapter 291, Hawaii Revised Statutes, is
2 amended by adding a new section to part I to be appropriately
3 designated and to read as follows:

4 "§291- Electronic citation surcharge. (a) In addition
5 to any other civil penalties ordered by the court, a person who
6 violates any provision under this part shall be ordered to pay
7 an electronic citation surcharge of \$5.

8 (b) The person shall pay the surcharge to the clerk of the
9 court. The surcharge shall be deposited with the director of
10 finance, who shall credit the surcharge to the electronic
11 citation special fund established under section 291C-C."

12 SECTION 2. Chapter 291C, Hawaii Revised Statutes, is
13 amended by adding a new part to be appropriately designated and
14 to read as follows:



1 **"PART . ELECTRONIC CITATION PROGRAM**

2 **§291C-A Definitions.** As used in this part:

3 "Electronic citation" means the process of transmitting
4 traffic, misdemeanor, or other citations and law enforcement
5 data via electronic means to the clerk of the court.

6 **§291C-B Electronic citation surcharge.** (a) In addition
7 to any other civil penalties ordered by the court, a person who
8 violates any provision under this chapter shall be ordered to
9 pay an electronic citation surcharge of \$5.

10 (b) The person shall pay the surcharge to the clerk of the
11 court, who shall credit the surcharge to the electronic citation
12 special fund established under section 291C-C.

13 **§291C-C Electronic citation program; electronic citation**
14 **special fund; establishment.** (a) There is established, within
15 the judiciary, an electronic citation program. This program
16 shall be funded and sustained through the electronic citation
17 special fund.

18 (b) There is established in the state treasury the
19 electronic citation special fund, into which shall be deposited:



1 (1) Electronic citation fees, charges, and other moneys
2 collected pursuant to any traffic misdemeanors or
3 other violations; and

4 (2) Appropriations by the legislature to the special fund;
5 and

6 (3) All moneys received from public or private sources for
7 the purposes of this fund.

8 (c) Moneys in the electronic citation special fund shall
9 be distributed by the judiciary, in accordance with rules
10 adopted pursuant to subsection (d), to the respective county
11 police departments and clerk of the court to defray expenses
12 related to the establishment and maintenance of the electronic
13 citation program.

14 (d) The judiciary shall adopt rules pursuant to chapter 91
15 to implement this section. The rules shall establish a formula
16 by which the moneys in the electronic citation special fund
17 shall be distributed to the respective law enforcement agencies
18 and to the administrative director of the courts and provide how
19 each shall expend the moneys for the purposes of an electronic
20 citation program."



1 SECTION 3. Section 291D-9, Hawaii Revised Statutes, is
2 amended by amending subsection (c) to read as follows:

3 "(c) In addition to any monetary assessment imposed for a
4 traffic infraction and the cost for an electronic citation
5 surcharge, the court may impose additional assessments for:

6 (1) Failure to pay a monetary assessment by the scheduled
7 date of payment; or

8 (2) The cost of service of a penal summons issued pursuant
9 to this chapter."

10 SECTION 4. There is appropriated out of the general
11 revenues of the State of Hawaii the sum of \$ or so
12 much thereof as may be necessary for fiscal year 2021-2022 for
13 start-up costs associated with the electronic citation program.

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

16 SECTION 5. In codifying the new sections added by section
17 2 of this Act, the revisor of statutes shall substitute
18 appropriate section numbers for the letters used in designating
19 the new sections in this Act.



1 SECTION 6. This Act does not affect rights and duties that
2 matured, penalties that were incurred, and proceedings that were
3 begun before its effective date.

4 SECTION 7. New statutory material is underscored.

5 SECTION 8. This Act shall take effect on July 1, 2021.

6

INTRODUCED BY: By a. Hh
JAN 27 2021



H.B. NO. 1377

Report Title:

Electronic Citation Program; Surcharge; Appropriation

Description:

Creates an electronic citation program under the judiciary and establishes an electronic citation surcharge.

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

