
A BILL FOR AN ACT

RELATING TO STATE SERVICE FEES.

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

1 SECTION 1. Section 92-28, Hawaii Revised Statutes, is
2 amended to read as follows:
3 "**§92-28 State service fees; increase or decrease of.** Any
4 law to the contrary notwithstanding, the fees or other nontax
5 revenues assessed or charged by any board, commission, or other
6 governmental agency may be increased or decreased by the body in
7 an amount not to exceed fifty per cent of the statutorily
8 assessed fee or nontax revenue, to maintain a reasonable
9 relation between the revenues derived from such fee or nontax
10 revenue and the cost or value of services rendered,
11 comparability among fees imposed by the State, or any other
12 purpose which it may deem necessary and reasonable; provided
13 that:
14 (1) The authority to increase or decrease fees or nontax
15 revenues shall be subject to the approval of the
16 governor and extend only to the following: chapters
17 36, 92, 94, 142, 144, 145, 147, 150, 171, 188, 189,



1 231, [~~269, 271,~~] 321, 338, [~~373, 412, 414, 414D,~~
2 ~~415A,~~] 417E, [~~419, 421, 421C, 421H, 421I, 425, 425E,~~
3 ~~428, 431, 436E, 436H, 437, 437B, 438, 439, 440, 440E,~~
4 ~~441, 442, 443B, 444, 447, 448, 448E, 448F, 448H, 451A,~~
5 ~~451J, 452, 453, 453D, 455,~~] 456, [~~457, 457A, 457B,~~
6 ~~457C, 458, 459, 460J, 461, 461J, 462A, 463, 463E, 464,~~
7 ~~465,~~] 465D, [~~466, 466D, 466K, 467, 467E, 468E, 468L,~~
8 ~~468M,~~] 469, [~~471,~~] 472, 481E, [~~482, 482E, 484, 485A,~~
9 501, 502, 505, [~~514B, 514E,~~] 572, 574, and 846 (part
10 II), all fees collected by the department of commerce
11 and consumer affairs, and any board, commission,
12 program, or entity created pursuant to title 25 and
13 assigned to the department of commerce and consumer
14 affairs or placed within the department for
15 administrative purposes;

16 (2) The authority to increase or decrease fees or nontax
17 revenues under the chapters listed in paragraph (1)
18 that are established by the department of commerce and
19 consumer affairs shall apply to fees or nontax
20 revenues established by statute or rule;



1 (3) The authority to increase or decrease fees or nontax
 2 revenues established by the University of Hawaii under
 3 chapter 304A shall be subject to the approval of the
 4 board of regents; provided that the board's approval
 5 of any increase or decrease in tuition for regular
 6 credit courses shall be preceded by an open public
 7 meeting held during or prior to the semester preceding
 8 the semester to which the tuition applies;

9 (4) This section shall not apply to judicial fees as may
 10 be set by any chapter cited in this section;

11 (5) The authority to increase or decrease fees or nontax
 12 revenues pursuant to this section shall be exempt from
 13 the public notice and public hearing requirements of
 14 chapter 91; and

15 (6) Fees for copies of proposed and final rules and public
 16 notices of proposed rulemaking actions under chapter
 17 91 shall not exceed 10 cents a page, as required by
 18 section 91-2.5."

19 SECTION 2. Statutory material to be repealed is bracketed
 20 and stricken. New statutory material is underscored.

21 SECTION 3. This Act shall take effect upon its approval.



S.B. NO. 2880
S.D. 1

Report Title:

Department of Commerce and Consumer Affairs; Service Fee;
Chapter 92

Description:

Applies section 92-28, Hawaii Revised Statutes, to all fees
collected by the Department of Commerce and Consumer Affairs.
(SD1)

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not legislation or evidence of legislative intent.*

