

ACT 203

S.B. NO. 2401

A Bill for an Act Relating to Information Technology.

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

SECTION 1. The legislature finds that currently available computer network capabilities, such as enhanced internet-based services, together with highly developed computer-based encryption systems, such as digital signature technology, provide cost-efficient means of systematically producing, signing, transmitting, and filing electronic documents with speed and reliability equal to or surpassing that of current paper-based systems.

In this age of electronic commerce, data transmission and identification integrity and security are of critical concern not only to businesses such as financial institutions, which utilize and provide electronic funds transfers, but also to government agencies that have recognized the value of deploying computer-based systems for filing and retrieving official public records and documents.

For example, the state judiciary estimates that the implementation of a secure and reliable electronic public document filing program would significantly reduce the cost of administering the court system, while enhancing system efficiency. However, the computer systems of the courts are inadequate to accept this new technology. What is required is an upgraded statewide automated system to enable greater efficiency in serving the public through such innovations as electronic filing.

The purpose of this Act is to establish a computer special fund to enable the judiciary to upgrade its computer system. This would then enable the judiciary to explore development of a pilot project to increase its efficiency, productivity, and accessibility by computer-based digital and electronic document filings.

SECTION 2. Chapter 601, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

**“§601- Judiciary computer system special fund.** (a) There is established in the state treasury a special fund to be known as the judiciary computer

system special fund. Moneys collected from administrative fees pursuant to section 287-3(a) shall be deposited into the fund.

(b) The fund shall be used for:

- (1) Consulting and other related fees and expenses in the selection, implementation, programming, and subsequent upgrades in judiciary computer system for a statewide computer system; and
- (2) The purchase of hardware and related software for a judiciary computer system.

(c) The fund may be used for other expenses relating to new technology in traffic enforcement and civil, criminal, and appellate case processing and management, including operations and maintenance.

(d) Moneys in the judiciary computer system special fund shall not revert to the general fund."

SECTION 3. Section 287-3, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

"(a) The traffic violations bureaus of the district courts, upon request, shall furnish any person a certified abstract of the bureaus' record, if any, of any person relating to all alleged moving violations[, as well as] and any convictions resulting therefrom, arising from the operation of a motor vehicle and any administrative license revocation pursuant to chapter 286, part XIV. The traffic violations bureaus may collect a fee, [to be a realization of the general fund, of not in excess of \$5 for any such certificate.] not to exceed \$7, of which \$5 shall be deposited into the general fund and \$2 shall be deposited into the judiciary computer system special fund."

SECTION 4. The judiciary shall convene a task force in consultation with the department of commerce and consumer affairs and other interested parties in the State to explore a program for computer based digital and electronic filing of court documents.

SECTION 5. The judiciary may adopt temporary rules not subject to chapter 91, Hawaii Revised Statutes, to effectuate the purposes of this Act.

SECTION 6. The judiciary and the department of commerce and consumer affairs shall submit a joint report to the legislature on an annual basis regarding the status and results of the program. The legislature may require such further reports as it deems necessary.

SECTION 7. There is appropriated out of the judiciary computer system special fund the sum of \$800,000 or so much thereof as may be necessary for fiscal year 1996-1997 to carry out the purposes of this Act. The sum appropriated shall be expended by the judiciary for the purposes of this Act.

SECTION 8. Statutory material to be repealed is bracketed. New statutory material is underscored.<sup>1</sup>

SECTION 9. This Act shall take effect on July 1, 1996; provided that on June 30, 2000, this Act shall be repealed, and section 3 of this Act shall be reenacted in the form in which it read on the day before the approval of this Act.

(Approved June 17, 1996.)

**Note**

1. Edited pursuant to HRS §23G-16.5.