

ACT 133

H.B. NO. 2480

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 as follows:

**“CHAPTER
APOSTILLES AND CERTIFICATIONS**

§ -1 Definitions. As used in this chapter, unless the context otherwise requires:

“Apostille” means a certification issued to authenticate documents pursuant to the Hague Treaty.

“Hague Treaty” refers to the convention, adopted in the Hague in 1961, that created a simplified form of document certification for countries that joined the convention.

“Non-apostille certification” means a certification issued by the lieutenant governor to authenticate a document for a country that does not recognize the Hague Treaty.

§ -2 Fee. (a) The office of the lieutenant governor shall charge and collect a fee for each apostille or non-apostille certification issued. The office of the lieutenant governor shall establish fees pursuant to section -4.

(b) Moneys collected for the issuance of apostilles or non-apostille certifications shall be deposited into the apostilles and certifications special fund established pursuant to section -3.

§ -3 Apostilles and certifications special fund; established. (a) There is established in the state treasury the apostilles and certifications special fund, which shall be administered by the office of the lieutenant governor.

(b) The following shall be deposited into the special fund:

(1) All fees collected pursuant to section -2;

(2) Any interest earned or accrued on moneys in the special fund; and

(3) Moneys appropriated by the legislature.

(c) The office of the lieutenant governor may expend moneys in the apostilles and certifications special fund for operational and administrative expenses of the apostille and certification of document services, including but not limited to modernization, postage, and supplies.

§ -4 Rules. The office of the lieutenant governor shall adopt rules pursuant to chapter 91 to implement this chapter, including setting a fee for the issuance of an apostille or a non-apostille certification.”

SECTION 2. There is appropriated out of the general revenues of the State of Hawaii the sum of \$12,000 or so much thereof as may be necessary for fiscal year 2024-2025 to be deposited into the apostilles and certifications special fund established pursuant to section -3, Hawaii Revised Statutes.

SECTION 3. There is appropriated out of the apostilles and certifications special fund established pursuant to section -3, Hawaii Revised Statutes, the sum of \$12,000 or so much thereof as may be necessary for fiscal year 2024-

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2025 for operational and administrative expenses of the apostille and certification of document services.

The sum appropriated shall be expended by the office of the lieutenant governor for the purposes of this Act.

SECTION 4. This Act shall take effect on July 1, 2024.

(Approved July 1, 2024.)