STAND. COM. REP. NO. **2249**

Honolulu, Hawaii

Feb. 17

, 2006

RE: S.B. No. 2601

Honorable Robert Bunda President of the Senate Twenty-Third State Legislature Regular Session of 2006 State of Hawaii

Sir:

Your Committee on Judiciary and Hawaiian Affairs, to which was referred S.B. No. 2601 entitled:

"A BILL FOR AN ACT RELATING TO DOCUMENTS SEALED UPON FILING," begs leave to report as follows:

The purpose of this measure is to require that certain documents be sealed upon filing in any action or proceeding in the circuit court having jurisdiction over matters relating to the affairs of decedents.

Your Committee received testimony in support of the measure from the Standing Committee on the Uniform Probate Code and Probate Court Practices of the Judiciary of the State of Hawaii.

This measure is intended to restrict public access to certain sensitive information about respondents in guardianship and conservatorship proceedings. This measure seeks to protect against the growing problem of identity theft by sealing the following documents that contain sensitive information:

- (1) Birth certificate;
- (2) Marriage certificate;
- (3) Death certificate;
- (4) Tax return;
- (5) Kokua kanawai's report;

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- (6) Court-ordered professional evaluation; and
- (7) Responses and objections to kokua kanawai's report or a professional evaluation.

Your Committee finds that these restrictions are necessary for the protection of the public.

As affirmed by the record of votes of the members of your Committee on Judiciary and Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2601 and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

Respectfully submitted on behalf of the members of the Committee on Judiciary and Hawaiian Affairs,

COLLEEN HANABUSA, Chair

The Senate Twenty-Third Legislature State of Hawaii

Record of Votes of the Committee on Judiciary and Hawaiian Affairs (Bills and Resolutions)

Measure:* SB 2601	Committee Referral: JHW		Date:	Date: 2/8/0	
The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to:					
The Recommendation is to:					
Pass, unamended Pass, with amendments (2312) (2311)			Hold Recommit (2310) (2313)		
Members		Ayes	Ayes(WR)	Nays	Excused
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HEE, Clayton (VC)			* .		
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IHARA, Jr., Les					
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TOTAL		5	0	0	1
Recommendation: Adopted Not Adopted					
Chair's or Designee's Signature:					
Distribution: Original Vellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy					

^{*}Do <u>not</u> list more than one measure per Record of Votes.