

JAN 24 2018

A BILL FOR AN ACT

RELATING TO PERSONAL PRIVACY.

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

1 SECTION 1. The Hawaii Revised Statutes is amended by
2 adding a new chapter to be appropriately designated and to read
3 as follows:

4 **"CHAPTER**

5 **DEPARTMENT OF HAWAIIAN HOME LANDS RECORDS**

6 § -1 **Government records and personal records;**
7 **department of Hawaiian home lands.** (a) The following government
8 records maintained by the department of Hawaiian home lands
9 shall not be required to be publicly disclosed or made open to
10 inspection pursuant to public records requests under section
11 92F-11:

- 12 (1) Loan applications, loan prequalification documents,
13 loan approval documents, underwriting findings,
14 financial data forms, and financial assessments except
15 where disclosure is required by section 92F-12(a)(8);
16 (2) Any consent to release personal information permitting
17 the department of hawaiian home lands to access birth,
18 marriage, death certificates and other documents in

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1 the application or lessee file to assist the family or
2 individual designated by the applicant or lessee with
3 the processing of an application or lease award;

4 (3) Designation of successor to a lease;

5 (4) Designation of successor to application rights for a
6 homestead lease;

7 (5) Requests to succeed to a homestead lease; and

8 (6) Requests to succeed to application rights.

9 (b) The hawaiian homes commission may hold an executive
10 meeting as provided in section 92-4 for the purpose of
11 discussing the records made exempt from public disclosure by
12 subsection (a) in the same manner as for the purposes listed in
13 subsection (a) of section 92-5."

14 SECTION 2. This Act shall take effect upon its approval.

15
16 INTRODUCED BY: _____



17 BY REQUEST

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Report Title:

Department of Hawaiian Home Lands; Disclosure of Government Records

Description:

Specifies certain records of the Department of Hawaiian Home Lands are not required to be publicly disclosed or made open to inspection pursuant to public records requests and may be discussed during an executive meeting of the Hawaiian Homes Commission.

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

JUSTIFICATION SHEET

DEPARTMENT: Hawaiian Home Lands

TITLE: A BILL FOR AN ACT RELATING TO PERSONAL PRIVACY.

PURPOSE: Protects the sensitive content of homestead application files and homestead lease files by specifying that certain records of the Department of Hawaiian Home Lands are not required to be publicly disclosed or made open to inspection pursuant to public records requests and may be discussed during an executive meeting of the Hawaiian Homes Commission.

MEANS: Add a new chapter to the Hawaii Revised Statutes.

JUSTIFICATION: The Department has received Uniform Information Practices Act requests for specific homestead application files and homestead lease files that include personal contact information, genealogies, finance and loan documents, and other correspondence. Hawaii Administrative Rules Title 10 requires that "personal data received or recorded by the department shall be held in absolute confidence and no release of information shall be made without written approval of the individual concerned." The Department has also experienced the discussion of sensitive private family matters at its monthly public Hawaiian Homes Commission meetings.

Impact on the public: This proposal further protects the interest of Hawaiian home land applicants, lessees, and their successors by protecting information in which they have a significant privacy interest.

Impact on the department and other agencies: None.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM
DESIGNATION: HHL 625.

OTHER AFFECTED
AGENCIES: None.

EFFECTIVE DATE: Upon approval.