

MAR 11 2022

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# SENATE CONCURRENT RESOLUTION

URGING THE OFFICE OF INFORMATION PRACTICES TO CLEAR THE BACKLOG  
OF APPEALS FILED PURSUANT TO CHAPTER 92F, HAWAII REVISED  
STATUTES, THE UNIFORM INFORMATION PRACTICES ACT (MODIFIED),  
BY JANUARY 1, 2023.

1           WHEREAS, the purpose and intent of the Uniform Information  
2 Practices Act (Modified), codified as chapter 92F, Hawaii  
3 Revised Statutes ("Uniform Information Practices Act"), is to  
4 enhance governmental accountability through a general policy of  
5 providing access to government records; and

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7           WHEREAS, the Uniform Information Practices Act is  
8 administered by the Office of Information Practices, whose  
9 mission is to ensure open government while protecting individual  
10 privacy; and

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12           WHEREAS, the Uniform Information Practices Act and the  
13 rules adopted by the Office of Information Practices thereunder  
14 allow a person to file an appeal with the Office of Information  
15 Practices to review a government agency's denial of access to  
16 information or records under the Act; and

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18           WHEREAS, on March 4, 2020, the Governor issued a  
19 Proclamation of an Emergency Period in response to the global  
20 outbreak of the coronavirus disease 2019, which suspended  
21 various statutes to allow state and county agencies to more  
22 effectively provide emergency relief and engage in emergency  
23 management functions; and

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25           WHEREAS, the Governor's Supplementary Proclamation issued  
26 on March 16, 2020, extended the suspension to the Uniform  
27 Information Practices Act and related administrative rules,  
28 which resulted in the suspension of the Office of Information  
29 Practices' power to accept and render determinations on appeals  
30 filed under the Act; and

31



1           WHEREAS, the suspension of the Uniform Information  
2 Practices Act and related administrative rules was extended by  
3 subsequent supplementary proclamations issued by the Governor  
4 until August 5, 2021;

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6           WHEREAS, the suspension of the Uniform Information  
7 Practices Act and related administrative rules created a  
8 significant backlog of appeals to be filed with and resolved by  
9 the Office of Information Practices; and

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11           WHEREAS, it is essential that the backlog be cleared as  
12 expeditiously as possible to restore the public's access to  
13 appropriate government records; now, therefore,

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15           BE IT RESOLVED by the Senate of the Thirty-first  
16 Legislature of the State of Hawaii, Regular Session of 2022, the  
17 House of Representatives concurring, that the Office of  
18 Information Practices is urged to clear the backlog of appeals  
19 filed pursuant to chapter 92F, Hawaii Revised Statutes, the  
20 Uniform Information Practices Act (Modified), by January 1,  
21 2023; and

22  
23           BE IT FURTHER RESOLVED that the Office of Information  
24 Practices is urged to submit a report on its progress in  
25 clearing the backlog of appeals filed pursuant to the Uniform  
26 Information Practices Act, including the procedures it  
27 implemented to clear the backlog, the number of outstanding  
28 appeals, if any, and any proposed legislation, to the  
29 Legislature no later than twenty days prior to the convening of  
30 the Regular Session of 2023; and

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32           BE IT FURTHER RESOLVED that a certified copy of this  
33 Concurrent Resolution be transmitted to the Director of the  
34 Office of Information Practices.

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37  
OFFERED BY:

A handwritten signature in black ink, appearing to be "DK" followed by a flourish, is written over a horizontal line.

