

MAR 11 2022

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
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S.C.R. NO. 165

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

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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:

