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# A BILL FOR AN ACT

RELATING TO RECORD DISPOSITION.

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

1           SECTION 1. The purpose of this Act is to provide greater  
2 uniformity, flexibility, and efficiency in handling and  
3 maintaining state ethics commission records.

4           SECTION 2. Section 84-17.5, Hawaii Revised Statutes, is  
5 amended by amending subsections (a) and (b) to read as follows:

6           "(a) All financial disclosure statements filed by a  
7 legislator, employee, or delegate to a constitutional convention  
8 shall be maintained by the state ethics commission for a period  
9 of six years from the date of the financial disclosure  
10 statement's filing. Upon the expiration of the six-year period,  
11 the financial disclosure statement and all copies thereof  
12 [~~shall~~] may be destroyed.

13           (b) Upon the expiration of six years after an election for  
14 which a candidate for state elective office or a constitutional  
15 convention has filed a financial disclosure statement, the state  
16 ethics commission [~~shall~~] may destroy the candidate's financial  
17 disclosure statement and all copies thereof."



1 SECTION 3. Section 97-4, Hawaii Revised Statutes, is  
2 amended to read as follows:

3 **"§97-4 Manner of filing; public records.** All statements  
4 required by this chapter to be filed with the state ethics  
5 commission:

- 6 (1) Shall be deemed properly filed when delivered or  
7 deposited in an established post office within the  
8 prescribed time; duly stamped, registered, or  
9 certified; and directed to the state ethics  
10 commission; provided that in the event it is not  
11 received, a duplicate of the statement shall be  
12 promptly filed upon notice by the state ethics  
13 commission of its nonreceipt; and
- 14 (2) Shall be maintained by the state ethics commission for  
15 a period of no less than six years from the date of  
16 filing; and shall constitute part of the public  
17 records of the state ethics commission."

18 SECTION 4. This Act shall apply to all disclosures that  
19 were filed before the effective date of this Act and that are in  
20 the state ethics commission's possession and control.





# H.B. NO. 140

**Report Title:**

State Ethics Commission Package; Financial Disclosures; Records

**Description:**

Provides the State Ethics Commission with the discretion to maintain or destroy records of financial disclosure statements beyond the current 6-year statutory requirement. Applies retroactively to applicable disclosures that are in the Commission's possession and control.

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

