

JAN 25 2023

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# A BILL FOR AN ACT

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RELATING TO ADDRESS CONFIDENTIALITY.

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

1       SECTION 1. Chapter 801G, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:

4       "~~§801G-~~ Contract for administrative services. The  
5 department may contract the services of a third party to  
6 administer the address confidentiality program under this  
7 chapter."

8       SECTION 2. Section 801G-1, Hawaii Revised Statutes, is  
9 amended by adding a new definition to be appropriately inserted  
10 and to read as follows:

11       ""Department" means the department of law enforcement."

12       SECTION 3. Section 801G-2, Hawaii Revised Statutes, is  
13 amended by amending subsection (a) to read as follows:

14       "(a) There is established the address confidentiality  
15 program in the [~~office of the lieutenant governor~~] department to  
16 protect the confidentiality of the actual address of a victim of  
17 domestic abuse, a sexual offense, or stalking and to prevent the



1 victim's assailants or potential assailants from finding the  
2 victim through public records. The program shall:

3 (1) Assign a substitute address to the program participant  
4 that shall be used by agencies;

5 (2) Receive first-class, certified, or registered mail  
6 sent to a program participant at the substitute  
7 address and forward the mail to the program  
8 participant at no cost to the program participant;  
9 provided that the program shall not be required to  
10 track or maintain records of mail or to forward  
11 packages, bulk mail, or pre-sorted mail; provided  
12 further that the program shall maintain a log of  
13 certified or registered mail or service of legal  
14 process received on behalf of a program participant;  
15 and

16 (3) Act as the agent of the program participant for  
17 purposes of service of all legal process in the  
18 State."

19 SECTION 4. Section 801G-7, Hawaii Revised Statutes, is  
20 amended to read as follows:



1       "**S801G-7 Appeal.** Within thirty days of the date of the  
2 notice of denial of an application or of certification  
3 cancellation, an applicant or program participant may submit a  
4 written appeal to the [~~office of the lieutenant governor;~~  
5 department; provided that:

6           (1) The appeal shall not be treated as a contested case as  
7 defined in chapter 91;

8           (2) The appeal process shall not include a hearing; and

9           (3) The [~~office of the lieutenant governor's~~] department's  
10 final determination shall not be subject to judicial  
11 review."

12       SECTION 5. Section 801G-13, Hawaii Revised Statutes, is  
13 amended to read as follows:

14       "**S801G-13 Rulemaking authority.** The [~~office of the~~  
15 ~~lieutenant governor~~] department shall adopt rules pursuant to  
16 chapter 91 as necessary to carry out the purposes of this  
17 chapter."

18       SECTION 6. There is appropriated out of the general  
19 revenues of the State of Hawaii the sum of \$               or so  
20 much thereof as may be necessary for fiscal year 2023-2024 and  
21 the same sum or so much thereof as may be necessary for fiscal



# S.B. NO. 1527

1 year 2024-2025 for full-time equivalent ( FTE) positions,  
2 operating costs, and equipment to support the address  
3 confidentiality program pursuant to chapter 801G, Hawaii Revised  
4 Statutes.

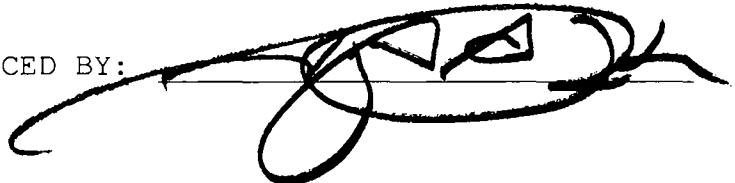
5 The sums appropriated shall be expended by the department  
6 of law enforcement for the purposes of this Act.

7 SECTION 7. Statutory material to be repealed is bracketed  
8 and stricken. New statutory material is underscored.

9 SECTION 8. This Act shall take effect on January 1, 2024;  
10 provided that section 6 shall take effect on July 1, 2023.

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INTRODUCED BY:

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# S.B. NO. 1527

**Report Title:**

Address Confidentiality; Department of Law Enforcement; Office of the Lieutenant Governor; Appropriation

**Description:**

Changes the governmental entity responsible for the administration of the address confidentiality program from the office of the lieutenant governor to the department of the law enforcement beginning 1/1/2024. Authorizes the department of law enforcement to contract the services of a third party to administer the program. Appropriates funds for full-time equivalent positions, operating costs, and equipment to support the department of law enforcement's criminal justice data center in administering the address confidentiality program.

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

