
A BILL FOR AN ACT

RELATING TO ADDRESS CONFIDENTIALITY.

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

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

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

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

7 "(a) There is established the address confidentiality
8 program in the [~~office of the lieutenant governor~~] department to
9 protect the confidentiality of the actual address of a victim of
10 domestic abuse, a sexual offense, or stalking and to prevent the
11 victim's assailants or potential assailants from finding the
12 victim through public records. The program shall:

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

15 (2) Receive first-class, certified, or registered mail
16 sent to a program participant at the substitute
17 address and forward the mail to the program



1 participant at no cost to the program participant;
2 provided that the program shall not be required to
3 track or maintain records of mail or to forward
4 packages, bulk mail, or pre-sorted mail; provided
5 further that the program shall maintain a log of
6 certified or registered mail or service of legal
7 process received on behalf of a program participant;
8 and

9 (3) Act as the agent of the program participant for
10 purposes of service of all legal process in the State;
11 provided that the department may enter into a contract with a
12 third party to provide the services described in paragraphs (2)
13 and (3) of this subsection."

14 SECTION 3. Section 801G-7, Hawaii Revised Statutes, is
15 amended to read as follows:

16 "**§801G-7 Appeal.** Within thirty days of the date of the
17 notice of denial of an application or of certification
18 cancellation, an applicant or program participant may submit a
19 written appeal to the [~~office of the lieutenant governor;~~]
20 department; provided that:



- 1 (1) The appeal shall not be treated as a contested case as
- 2 defined in chapter 91;
- 3 (2) The appeal process shall not include a hearing; and
- 4 (3) The [~~office of the lieutenant governor's~~] department's
- 5 final determination shall not be subject to judicial
- 6 review."

7 SECTION 4. Section 801G-13, Hawaii Revised Statutes, is
8 amended to read as follows:

9 "**§801G-13 Rulemaking authority.** The [~~office of the~~
10 ~~lieutenant governor~~] department shall adopt rules pursuant to
11 chapter 91 as necessary to carry out the purposes of this
12 chapter."

13 SECTION 5. All rules, policies, procedures, guidelines,
14 and other material adopted or developed by the office of the
15 lieutenant governor to implement provisions of the Hawaii
16 Revised Statutes that are reenacted or made applicable to the
17 department of law enforcement by this Act shall remain in full
18 force and effect until amended or repealed by the department of
19 law enforcement pursuant to chapter 91, Hawaii Revised Statutes.

20 In the interim, every reference to the office of the
21 lieutenant governor in those rules, procedures, guidelines, and



1 other material is amended to refer to the department of law
2 enforcement or director of law enforcement, as appropriate.

3 SECTION 6. All appropriations, records, equipment,
4 machines, files, supplies, contracts, books, papers, documents,
5 maps, and other personal property heretofore made, used,
6 acquired, or held by the office of the lieutenant governor
7 relating to the functions transferred to the department of law
8 enforcement shall be transferred with the functions to which
9 they relate.

10 SECTION 7. There is appropriated out of the general
11 revenues of the State of Hawaii the sum of \$ or so
12 much thereof as may be necessary for fiscal year 2023-2024 and
13 the same sum or so much thereof as may be necessary for fiscal
14 year 2024-2025 for full-time equivalent (FTE)
15 positions, operating costs, and equipment to support the address
16 confidentiality program pursuant to chapter 801G, Hawaii Revised
17 Statutes.

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

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



1 SECTION 9. This Act shall take effect on June 30, 3000;
2 provided that section 7 shall take effect on July 1, 2050.



Report Title:

Address Confidentiality; DLE; 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 Law Enforcement. Allows the Department of Law Enforcement to contract with a third party for the mail forwarding and acceptance of service of legal process aspects of the program. Appropriates funds for full-time equivalent positions, operating costs, and equipment to support the Department of Law Enforcement in administering the Address Confidentiality Program. Effective 6/30/3000. (HD1)

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