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# A BILL FOR AN ACT

RELATING TO THE HAWAIIAN LANGUAGE.

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

1       SECTION 1. The legislature finds that at the  
2       Constitutional Convention of Hawaii of 1978, the committee on  
3       Hawaiian affairs proposed the constitutional amendment that is  
4       now enshrined in article XV, section 4, of the Hawaii State  
5       Constitution, which establishes Hawaiian as an official language  
6       of the State. The committee felt it necessary to include this  
7       amendment in the constitution "to give full recognition and  
8       honor to the rich cultural inheritance that Hawaiians have given  
9       to all ethnic groups of the State".

10       The legislature further finds that passage of this Act  
11       would contribute to the growing international movement for the  
12       protection of the rights of the world's indigenous peoples. In  
13       2007, the United Nations adopted the United Nations Declaration  
14       on the Rights of Indigenous Peoples (Declaration). In 2011, the  
15       United States became a signatory on the Declaration. Article 13  
16       of the Declaration states:



1 "1. Indigenous peoples have the right to revitalize, use,  
2 develop and transmit to future generations their  
3 histories, languages, oral traditions, philosophies,  
4 writing systems and literatures, and to designate and  
5 retain their own names for communities, places and  
6 persons.

7 2. States shall take effective measures to ensure that  
8 this right is protected and also to ensure that  
9 indigenous peoples can understand and be understood in  
10 political, legal and administrative proceedings, where  
11 necessary through the provision of interpretation or  
12 by other appropriate means".

13 Accordingly, the purpose of this Act is to require the  
14 Hawaiian version of a law be held binding if the law in question  
15 was originally drafted in Hawaiian and meets certain criteria.

16 SECTION 2. Section 1-13, Hawaii Revised Statutes, is  
17 amended to read as follows:

18 "**§1-13 Official languages.** English and Hawaiian [are]  
19 shall be the official languages of Hawaii. [~~Whenever there is~~  
20 ~~found to exist~~] If any radical and irreconcilable difference  
21 between the English and Hawaiian version of any of the laws of



1 the State~~[7]~~ exists, the English version shall be held  
2 binding~~[7]~~; provided that if the law in question was originally  
3 drafted in Hawaiian and the English version was translated based  
4 on the Hawaiian version, and if the law has not been later  
5 amended, codified, recodified, or reenacted in English, the  
6 Hawaiian version shall be held binding. Hawaiian shall not be  
7 required for public acts and transactions."

8 SECTION 3. Statutory material to be repealed is bracketed  
9 and stricken. New statutory material is underscored.

10 SECTION 4. This Act shall take effect on July 1, 3000.



**Report Title:**

Hawaiian Language; State Law; Public Documents

**Description:**

Requires that the Hawaiian version of a law be held binding if the law in question was originally drafted in Hawaiian and meets certain criteria. Effective 7/1/3000. (HD1)

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