

ACT 197

H.B. NO. 537

A Bill for an Act Relating to Financial Institution Records.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 346-13, Hawaii Revised Statutes, is amended to read as follows:

“§346-13 Attendance and testimony of witnesses. (a) In all hearings or investigations conducted by or initiated at the request of the director of social services or his designated subordinate with respect to all matters reasonably related to department functions and programs, the director or his designated subordinate shall have the same powers respecting the administering of oaths, compelling the attendance of witnesses, the production of books, papers, documents, or objects deemed relevant to the investigation or inquiry, and examining or causing to be examined witnesses as are possessed by a circuit court and may take depositions and certify to official acts. Books, papers, documents, or objects obtained pursuant to such an investigation or inquiry may be retained by the director or his designated subordinate for a reasonable period of time for the purpose of examination, audit, copying, testing, or photographing. The circuit courts upon application by any of such officers shall have power to enforce by proper proceedings the attendance and testimony of any witnesses so subpoenaed and the production of books, papers, documents, or objects. Subpoena and witness fees and mileage in such cases shall be the same as in criminal cases in the circuit court. Necessary expenses of or in connection with the hearings or investigations shall be payable from the funds appropriated for expenses of the department of social services and housing.

(b) Upon the written request of the director of social services or a designated subordinate, a financial institution, including but not limited to banks, savings and loan associations, and credit unions, shall furnish the records of accounts, deposits, and withdrawals of any applicant for or recipient of public assistance. Notwithstanding any other law to the contrary, the director shall require every applicant for public assistance to furnish written consent to authorize any financial institution to furnish the records of accounts, deposits, and withdrawals of such applicant. The director at the time of making a written request for information, shall provide to the financial institution written certification that the applicant for or recipient of public assistance has furnished such written consent. The director shall pay a reasonable fee to each such institution, not to exceed the actual cost of providing the information requested.”

ACT 197

SECTION 2. New statutory material is underscored.

SECTION 3. This Act shall take effect upon its approval.

(Approved May 30, 1984.)

8