

ACT 80

S.B. NO. 3017

A Bill for an Act Relating to the Department of the Attorney General.

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

SECTION 1. Section 846-28, Hawaii Revised Statutes, is amended to read as follows:

**“§846-28 Information to be secured.** The department of the attorney general shall require, collect, secure, make, and [preserve] maintain a [written] record of the following items of information so far as it is practicable to secure the same, with respect to each applicant for registration:

- (1) The name of the person applying to be registered (hereinafter called the “registrant” or “applicant”), the street and number or address of the applicant’s place of habitation in the State, and the applicant’s residence and business telephone numbers, if any;
- (2) The applicant’s occupation and any pertinent data relating thereto;
- (3) The applicant’s nationality or racial extraction;
- (4) The applicant’s citizenship status;
- (5) The date and place of the applicant’s birth;

- (6) The applicant's personal description including sex, height, weight, hair, eyes, complexion, build, scars, and marks;
- (7) The fingerprints of both hands of the applicant; provided that this requirement shall not apply to minors until they reach the age of six years, except as may be requested by a parent or guardian;
- (8) The name, relationship, and address of the nearest relative or other person to be notified in case of sickness, accident, death, emergency, or need of the applicant, if such notification is desired; and
- (9) The social security number of the applicant."

SECTION 2. Section 846-29, Hawaii Revised Statutes, is amended to read as follows:

**"§846-29 Procedure.** (a) All information required by section 846-28 shall be secured by employees of the department of the attorney general as provided for by rules of the department and by personal interviews with the applicant for registration or responsible members of the same household. Every applicant and other person giving information on behalf of any applicant under this part shall answer truthfully all questions, furnish all information within the possession or knowledge of the person which may be asked or requested by the employee within the scope of the requirements of this part, and submit to the department all information and supporting documentation required by rules of the department.

- (b) Special provisions may be made by rules of the attorney general:
  - (1) [for] For the registration of inmates, employees, and others residing at or in hospitals, correctional facilities, homes for the aged, indigent homes, and other institutions[.]; and
  - (2) [for] For the registration of other persons, whenever special treatment is required so as to minimize hardship or inconvenience attendant upon the registration contemplated by this part.

(c) The attorney general may require an applicant, or any person giving information in behalf of an applicant, to furnish original or certified copies of documents to establish or corroborate the information required to establish identity under this part and may, by rules, set forth what documents will be required to support or corroborate certain information."

SECTION 3. Section 846-35, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

"(a) All information and records acquired by the department of the attorney general under this part shall be confidential. All information and records shall be [filed] maintained in an appropriate form and in an appropriate office in the custody and under the control of the department, which shall at all times be kept separate from any similar records relating to the identification of criminals. The information shall be available only to authorized persons in the department, and such other persons or agencies as the attorney general shall authorize, under such restrictions as the attorney general shall prescribe. The attorney general may dispose of any application or certificate of registration, or information or record relating to such application or certificate of registration, which does not include a social security number, without regard to the provisions of chapter 94, whenever, in the attorney general's discretion, retention of such information or record is no longer required or practicable."

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SECTION 4. Statutory material to be repealed is bracketed. New statutory material is underscored.

SECTION 5. This Act shall take effect upon its approval.

(Approved May 23, 1990.)