

ACT 84

S.B. NO. 2386

A Bill for an Act Relating to the Native Hawaiian Roll Commission.

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

SECTION 1. Section 10H-3, Hawaii Revised Statutes, is amended by amending its title and subsection (a) to read as follows:

“~~[[§10H-3]]~~ Native Hawaiian roll commission. (a) There is established a five-member Native Hawaiian roll commission within the office of Hawaiian affairs for administrative purposes only. The Native Hawaiian roll commission shall be responsible for:

- (1) Preparing and maintaining a roll of qualified Native Hawaiians; ~~[and]~~
- (2) Certifying that the individuals on the roll of qualified Native Hawaiians meet the definition of qualified Native Hawaiians. For purposes of establishing the roll, a “qualified Native Hawaiian” means an individual who the commission determines has satisfied the following criteria and who makes a written statement certifying that the individual:
 - (A) Is:
 - (i) An individual who is a descendant of the aboriginal peoples who, prior to 1778, occupied and exercised sovereignty in the Hawaiian islands, the area that now constitutes the State of Hawaii; or
 - (ii) An individual who is one of the indigenous, native people of Hawaii and who was eligible in 1921 for the programs authorized by the Hawaiian Homes Commission Act, 1920, or a direct lineal descendant of that individual;
 - (B) Has maintained a significant cultural, social, or civic connection to the Native Hawaiian community and wishes to participate in the organization of the Native Hawaiian governing entity; and
 - (C) Is eighteen years of age or older[-]; and
- (3) Receiving and maintaining documents that verify ancestry; cultural, social, or civic connection to the Native Hawaiian community; and age from individuals seeking to be included in the roll of qualified Native Hawaiians. Notwithstanding any other law to the contrary, these verification documents shall be confidential.”

SECTION 2. Section 10H-4, Hawaii Revised Statutes, is amended by amending its title and subsection (a) to read as follows:

~~“[§10H-4] Notice of qualified Native Hawaiian roll.~~ (a) The commission shall publish notice of the certification of the qualified Native Hawaiian roll, update the roll as necessary, and publish notice of the updated roll of qualified Native Hawaiians[-]; provided that the commission shall not publish or release any verification documents of any qualified Native Hawaiian on the roll.”

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

SECTION 4. This Act shall take effect upon its approval.

(Approved April 26, 2012.)