

## ACT 86

S.B. NO. 2709

A Bill for an Act Relating to Furnishing the Date of Vital Events to Governmental Agencies Within the State of Hawaii that Request Verification.

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

SECTION 1. The legislature finds that some governmental agencies within the State require information contained in vital statistics records for the purpose of updating official lists of persons in the ordinary course of the agency's activities. While section 338-18(g), Hawaii Revised Statutes, allows governmental agencies or organizations to obtain verification of information contained in vital statistics records, neither section 338-18(g), Hawaii Revised Statutes, nor any other section in chapter 338, Hawaii Revised Statutes, allows governmental agencies within the State to obtain additional information beyond verification of the information they already possess.

The legislature also finds that it is often necessary for governmental agencies within the State to acquire the date of a vital event for which they are seeking verification, but without a direct and tangible interest in the record as required by section 338-18(b), Hawaii Revised Statutes, additional information is not available to those governmental agencies and they are unable to update their lists. The legislature finds that allowing the department of health to disclose the dates of vital events to governmental agencies within the State will assist state and county agencies in maximizing the accuracy of their official lists, thus avoiding overpayments of benefits and waste of public funds.

SECTION 2. Section 338-18, Hawaii Revised Statutes, is amended by amending subsection (g) to read as follows:

“(g) The department shall not issue a verification in lieu of a certified copy of any such record, or any part thereof, unless it is satisfied that the applicant requesting a verification is:

- (1) A person who has a direct and tangible interest in the record but requests a verification in lieu of a certified copy;
- (2) A governmental agency [~~or organization who~~] that, for a legitimate government purpose, maintains and needs to update official lists of persons in the ordinary course of the agency's [~~or organization's~~] activities[;]. Notwithstanding other provisions of this section, upon request from a governmental agency of the State of Hawaii or its political subdivisions, the department may further disclose to that governmental agency the date of the vital event that has been verified;
- (3) A governmental[;] agency, or private, social, or educational agency or organization [~~who~~] that seeks confirmation of a certified copy of any

such record submitted in support of or information provided about a vital event relating to any such record and contained in an official application made in the ordinary course of the agency's or organization's activities by an individual seeking employment with, entrance to, or the services or products of the agency or organization;

- (4) A private or government attorney who seeks to confirm information about a vital event relating to any such record [~~which~~] that was acquired during the course of or for purposes of legal proceedings; or
- (5) An individual employed, endorsed, or sponsored by a governmental[~~;~~] agency, or private, social, or educational agency or organization who seeks to confirm information about a vital event relating to<sup>1</sup> preparation of reports or publications by the agency or organization for research or educational purposes.”

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.)

**Note**

- 1. Prior to amendment, “any such record in” appeared here.