

ACT 9

H.B. NO. 140

A Bill for an Act Relating to Record Disposition.

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

SECTION 1. The purpose of this Act is to provide greater uniformity, flexibility, and efficiency in handling and maintaining state ethics commission records.

SECTION 2. Section 84-17.5, Hawaii Revised Statutes, is amended by amending subsections (a) and (b) to read as follows:

“(a) All financial disclosure statements filed by a legislator, employee, or delegate to a constitutional convention shall be maintained by the state ethics commission for a period of six years from the date of the financial disclosure statement’s filing. Upon the expiration of the six-year period, the financial disclosure statement and all copies thereof ~~shall~~ may be destroyed.

(b) Upon the expiration of six years after an election for which a candidate for state elective office or a constitutional convention has filed a financial disclosure statement, the state ethics commission ~~shall~~ may destroy the candidate’s financial disclosure statement and all copies thereof.”

SECTION 3. Section 97-4, Hawaii Revised Statutes, is amended to read as follows:

“**§97-4 Manner of filing; public records.** All statements required by this chapter to be filed with the state ethics commission:

- (1) Shall be deemed properly filed when delivered or deposited in an established post office within the prescribed time; duly stamped, registered, or certified; and directed to the state ethics commission; provided that in the event it is not received, a duplicate of the statement shall be promptly filed upon notice by the state ethics commission of its nonreceipt; and
- (2) Shall be maintained by the state ethics commission for a period of no less than six years from the date of filing; and shall constitute part of the public records of the state ethics commission.”

SECTION 4. This Act shall apply to all disclosures that were filed before the effective date of this Act and that are in the state ethics commission’s possession and control.

SECTION 5. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 6. This Act shall take effect upon its approval.

(Approved March 31, 2023.)