



GOV. MSG. NO. 1187

EXECUTIVE CHAMBERS
HONOLULU

NEIL ABERCROMBIE
GOVERNOR

April 26, 2012

The Honorable Shan Tsutsui, President
and Members of the Senate
Twenty-Sixth State Legislature
State Capitol, Room 409
Honolulu, Hawaii 96813

The Honorable Calvin Say, Speaker
and Members of the House
Twenty-Sixth State Legislature
State Capitol, Room 431
Honolulu, Hawaii 96813


Dear President Tsutsui, Speaker Say and Members of the Legislature:

This is to inform you that on April 26, 2012, the following bill was signed into law:

SB2709 HD2

RELATING TO FURNISHING THE DATE OF
VITAL EVENTS TO GOVERNMENTAL AGENCIES
WITHIN THE STATE OF HAWAII THAT REQUEST
VERIFICATION.

Act 086 (12)

Sincerely,


NEIL ABERCROMBIE
Governor, State of Hawaii

Approved by the Governor

on APR 26 2012

THE SENATE
TWENTY-SIXTH LEGISLATURE, 2012
STATE OF HAWAII

447 086

S.B. NO. 2709
H.D. 2

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:

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

13 The legislature also finds that it is often necessary for
14 governmental agencies within the State to acquire the date of a
15 vital event for which they are seeking verification, but without
16 a direct and tangible interest in the record as required by
17 section 338-18(b), Hawaii Revised Statutes, additional



1 information is not available to those governmental agencies and
2 they are unable to update their lists. The legislature finds
3 that allowing the department of health to disclose the dates of
4 vital events to governmental agencies within the State will
5 assist state and county agencies in maximizing the accuracy of
6 their official lists, thus avoiding overpayments of benefits and
7 waste of public funds.

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

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

14 (1) A person who has a direct and tangible interest in the
15 record but requests a verification in lieu of a
16 certified copy;

17 (2) A governmental agency [~~or organization who~~] that, for
18 a legitimate government purpose, maintains and needs
19 to update official lists of persons in the ordinary
20 course of the agency's [~~or organization's~~]
21 activities[+]. Notwithstanding other provisions of
22 this section, upon request from a governmental agency



1 of the State of Hawaii or its political subdivisions,
2 the department may further disclose to that
3 governmental agency the date of the vital event that
4 has been verified;

5 (3) A governmental[7] agency, or private, social, or
6 educational agency or organization [~~who~~] that seeks
7 confirmation of a certified copy of any such record
8 submitted in support of or information provided about
9 a vital event relating to any such record and
10 contained in an official application made in the
11 ordinary course of the agency's or organization's
12 activities by an individual seeking employment with,
13 entrance to, or the services or products of the agency
14 or organization;

15 (4) A private or government attorney who seeks to confirm
16 information about a vital event relating to any such
17 record [~~which~~] that was acquired during the course of
18 or for purposes of legal proceedings; or

19 (5) An individual employed, endorsed, or sponsored by a
20 governmental[7] agency, or private, social, or
21 educational agency or organization who seeks to
22 confirm information about a vital event relating to



1 preparation of reports or publications by the agency
2 or organization for research or educational purposes."

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

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

APPROVED this 26 day of APR, 2012



GOVERNOR OF THE STATE OF HAWAII