

# H.B. NO. 1094

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## A BILL FOR AN ACT

RELATING TO PERSONAL PRIVACY.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The Hawaii Revised Statutes is amended by  
2 adding a new chapter to be appropriately designated and to read  
3 as follows:

4                                   "CHAPTER

5                                   DEPARTMENT OF HAWAIIAN HOME LANDS RECORDS

6           § -1    Government records and personal records;  
7 department of Hawaiian home lands. The following government  
8 records maintained by the department of Hawaiian home lands  
9 shall not be required to be disclosed or made open to public  
10 inspection:

- 11           (1) Loan applications, loan prequalification documents,  
12                loan approval documents, underwriting findings,  
13                financial data forms, and financial assessments except  
14                where disclosure is required by section 92F-12(a)(8);
- 15           (2) Any consent to release personal information permitting  
16                the department of hawaiian home lands to access birth,  
17                marriage, death certificates and other documents in  
18                the application or lessee file to assist the family or

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- 1 individual designated by the applicant or lessee with  
2 the processing of an application or lease award;  
3 (3) Designation of successor to a lease;  
4 (4) Designation of successor to application rights for  
5 homestead lease;  
6 (5) Requests to succeed to a homestead lease; and  
7 (6) Requests to succeed to application rights."

8 SECTION 2. This Act shall take effect upon its approval.

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INTRODUCED BY: \_\_\_\_\_



11

BY REQUEST

JAN 23 2017

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**Report Title:**

Department of Hawaiian Home Lands; Disclosure of Government Records

**Description:**

Specifies certain content of Department of Hawaiian Home Lands homestead applicant and lessee files are not required to be disclosed.

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JUSTIFICATION SHEET

DEPARTMENT: Hawaiian Home Lands

TITLE: A BILL FOR AN ACT RELATING TO PERSONAL PRIVACY.

PURPOSE: Protects the sensitive content of homestead application files and homestead lease files by specifying that certain records of Department of Hawaiian Home Lands homestead applicant and lessee files are not required to be disclosed.

MEANS: Add a new chapter to the Hawaii Revised Statutes.

JUSTIFICATION: The department has received Uniform Information Practices Act requests for specific homestead application files and homestead lease files that include personal contact information, genealogies, finance and loan documents, and other correspondence. Hawaii Administrative Rules Title 10 further requires that "personal data received or recorded by the department shall be held in absolute confidence and no release of information shall be made without written approval of the individual concerned."

Impact on the public: This proposal further protects the interest of Hawaiian home land applicants, lessees, and their successors by protecting information in which they have a significant privacy interest.

Impact on the department and other agencies:  
None.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM  
DESIGNATION: HHL 625.

OTHER AFFECTED  
AGENCIES: None.

EFFECTIVE DATE: Upon approval.