

JAN 17 2020

A BILL FOR AN ACT

RELATING TO STATE FORMS.

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

1 SECTION 1. The legislature finds that state agencies often
2 request or require certain information from residents, community
3 organizations, businesses, and other entities, but do not always
4 provide proper or clear instructions regarding how to submit
5 that information to an agency.

6 The legislature also finds that there is much variation in
7 the ways that state agencies require information to be
8 submitted. For example, some state agencies require submission
9 of a letter or memorandum, while others require documents or
10 lists of information. Although some state agencies provide
11 forms to facilitate the submission, not all agencies do so.
12 This variation leads to unnecessary confusion, stress, and
13 delays in the lives of the people who live, work, and do
14 business in the State.

15 Accordingly, the purpose of this Act is to require any
16 state agency that requires a person to submit information, data,
17 or other materials to the state agency to create a form, with



1 instructions, written in plain language, to facilitate the
2 collection of that information, data, or material.

3 SECTION 2. Chapter 27, Hawaii Revised Statutes, is amended
4 by adding a new section to part I to be appropriately designated
5 and to read as follows:

6 "§27- State forms; requirements. (a) Any state agency
7 that requires a person to submit any information, data, or other
8 materials to the state agency shall create a form to facilitate
9 the collection of that information, data, or material.

10 (b) The form shall:

11 (1) Clearly state, in plain language, the information,
12 data, or submission that is required; provided that if
13 the form directs the person to provide a list of
14 items, the form shall include a sample listing for
15 reference;

16 (2) Include clear instructions, in plain language,
17 regarding how to properly complete the form;

18 (3) Be posted on the state agency's website;

19 (4) Be available in physical form at the state agency's
20 office and at any other appropriate locations;

21 provided that information regarding where a physical



1 version of the form is available shall be posted on
2 the state agency's website; and

3 (5) Include contact information, including a telephone
4 number, that a person filling out the form may use if
5 the person requires additional assistance.

6 (c) Nothing in this section shall be construed to:

7 (1) Limit any other requirement of law, including any
8 other requirement that a state agency is required to
9 follow when creating a form;

10 (2) Relieve any person of any requirement to transmit any
11 information, data, or other submission that is
12 required by law, ordinance, rule, order, resolution,
13 or policy; or

14 (3) Create a new private right of action.

15 (d) As used in this section:

16 "Plain language" means language that:

17 (1) Is written in a clear, concise, and coherent manner;

18 (2) Uses words with common meanings; and

19 (3) Follows other best practices appropriate to the
20 subject or field and intended audience.



1 "State agency" includes any department, office, board,
2 division, or commission of the State, including the university
3 of Hawaii."

4 SECTION 3. New statutory material is underscored.

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

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INTRODUCED BY: *Alan B. Green*



S.B. NO. 2375

Report Title:

State Agencies; Submission of Information; Forms Required; Plain Language

Description:

Requires any state agency that requires a person to submit information, data, or other materials to create a form, including instructions, that is written in plain language, to facilitate the collection of that information, data, or material.

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