
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; provided further that the sample listing
16 may be provided in the accompanying instructions for
17 the form;

18 (2) Include clear instructions, in plain language,
19 regarding how to properly complete the form; provided
20 that the instructions are not required to be attached



1 to the form, but shall be available in the same manner
2 as the form;

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

4 (4) Be available in physical form at the state agency's
5 office and at any other appropriate locations;
6 provided that information regarding where a physical
7 version of the form is available shall be posted on
8 the state agency's website; and

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

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

13 (1) Limit any other requirement of law, including any
14 other requirement that a state agency is required to
15 follow when creating a form;

16 (2) Relieve any person of any requirement to transmit any
17 information, data, or other submission that is
18 required by law, ordinance, rule, order, resolution,
19 or policy; or

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

21 (d) As used in this section:



1 "Form" means a document in physical or electronic format
2 used to transmit any information, data, or other submission
3 required by a state agency.

4 "Plain language" means language that:

- 5 (1) Is written in a clear, concise, and coherent manner;
6 (2) Uses words with common meanings; and
7 (3) Follows other best practices appropriate to the
8 subject or field and intended audience.

9 "State agency" includes any department, office, board,
10 division, or commission of the State, including the university
11 of Hawaii."

12 SECTION 3. New statutory material is underscored.

13 SECTION 4. This Act shall take effect January 21, 2021.



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. (SD1)

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