

STAND. COM. REP. NO. 1585

Honolulu, Hawaii

APR 09 2021

RE: H.B. No. 991
H.D. 2
S.D. 2

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 991, H.D. 2, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE DISCLOSURE OF VITAL STATISTICS RECORDS,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Authorize the Department of Health to disclose vital statistics records for public health and law enforcement purposes; and
- (2) Update eligibility requirements for access to confidential vital statistics records.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs, Department of Health, and Honolulu Police Department. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Office of Information Practices and Civil Beat Law Center for the Public Interest.

Your Committee finds that the appropriate sharing of vital records is in the public interest, particularly to facilitate research to help define unique issues in the State. This measure



will allow the Department of Health greater discretion to disclose vital records in certain circumstances for legitimate government and research functions. Your Committee notes, however, that a mechanism already exists for law enforcement agencies to access vital records in the course of an investigation in appropriate circumstances. Although the intention of your Committee is not to restrict access by law enforcement to vital records when necessary, your Committee finds that the existing provisions are sufficient to meet law enforcement's need to access vital records and has established safeguards that your Committee finds favorable.

Your Committee has amended this measure by:

- (1) Deleting language authorizing the Department of Health to disclose vital statistics records for law enforcement purposes; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 991, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 991, H.D. 2, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



KARL RHOADS, Chair



The Senate
Thirty-First Legislature
State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:*	Committee Referral:	Date:		
HB991, HD2, SD1	HTH, JDC	3/30/2024		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312	<input checked="" type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310	<input type="checkbox"/> Recommit 2313	
Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	✓			
KEOHOKALOLE, Jarrett (VC)	✓			
ACASIO, Laura		✓		
GABBARD, Mike	✓			
KIM, Donna Mercado	✓			
LEE, Chris	✓			
FEVELLA, Kurt		✓		
TOTAL	5	2	0	0
Recommendation:				
<input checked="" type="checkbox"/> Adopted		<input type="checkbox"/> Not Adopted		
Chair's or Designee's Signature: <i>Karl Rhoads</i>				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

*Only one measure per Record of Votes