
A BILL FOR AN ACT

RELATING TO THE USE OF SOCIAL SECURITY NUMBERS.

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

1 SECTION 1. The purpose of this Act is to prohibit state
2 and county agencies from requesting, collecting, or publishing
3 social security numbers, except as authorized under the federal
4 Privacy Act of 1974.

5 SECTION 2. Section 11-6, Hawaii Revised Statutes, is
6 amended to read as follows:

7 "~~§~~11-6~~§~~ **Petitions; withdrawal of signatures.**

8 Wherever in this chapter the signatures of registered voters are
9 required on a petition, any voter who, after signing a petition,
10 seeks to withdraw the voter's signature may do so by providing
11 notice in writing to the chief election officer any time before
12 the filing of the petition. The notice shall include the name,
13 [~~social security number,~~] address, and birthdate of the voter
14 and ~~must~~ shall be signed by the voter with the name under
15 which the voter is registered to vote. Upon receipt of that
16 notice containing the information required by this section, the
17 chief election officer shall notify the group or individual to



1 whom the petition was issued and the signature of the individual
2 shall not be counted."

3 SECTION 3. Section 11-15, Hawaii Revised Statutes, is
4 amended by amending subsection (a) to read as follows:

5 "(a) Any person qualified to and desiring to register as a
6 voter in any county shall make and subscribe to an application
7 in the form of an affidavit.

8 The affidavit shall contain the following information:

9 (1) Name;

10 [~~2~~] ~~Social security number;~~

11 [~~3~~] (2) Date of birth;

12 [~~4~~] (3) Residence, including mailing address;

13 [~~5~~] (4) That the residence stated in the affidavit is not
14 simply because of the person's presence in the State
15 but that the residence was acquired with the intent to
16 make Hawaii the person's legal residence with all the
17 accompanying obligations therein; and

18 [~~6~~] (5) That the person is a citizen."

19 SECTION 4. Section 12-4, Hawaii Revised Statutes, is
20 amended by amending subsection (c) to read as follows:

21 "(c) Any registered voter who, after signing a nomination
22 paper, seeks to withdraw the voter's signature shall do so by



1 providing written notice to the chief election officer, or clerk
2 in the case of a county office, any time before the filing of
3 the candidate's nomination paper; provided that the notice is
4 received by the chief election officer, or clerk in the case of
5 a county office, no later than 4:30 p.m. on the fourth business
6 day prior to the close of filing pursuant to section 12-6. The
7 written notice shall include the voter's name, [~~social security~~
8 ~~number,~~] residence address, date of birth, the voter's
9 signature, the name of the candidate, and a statement that the
10 voter wishes to remove the voter's signature from the
11 candidate's nomination paper. Any request by a registered voter
12 to remove the voter's signature from a candidate's nomination
13 paper that is received by the chief election officer, or clerk
14 in the case of a county office, after the candidate's nomination
15 paper has been filed or after 4:30 p.m. on the fourth business
16 day prior to the close of filing shall not be accepted."

17 SECTION 5. Section 15-4, Hawaii Revised Statutes, is
18 amended by amending subsection (a) to read as follows:

19 "(a) Any person registered to vote may request an absentee
20 ballot in person or in writing from the clerk not earlier than
21 on the sixtieth day and not later than 4:30 p.m. on the seventh
22 day prior to the election. Any mailed requests for an absentee



1 ballot shall be mailed by the person directly to the clerk. The
2 clerk may waive any or all of the foregoing requirements in
3 special cases as provided in the rules adopted by the chief
4 election officer.

5 The request shall include information such as the person's
6 [~~social security number,~~] date of birth, and the address under
7 which the person is registered to vote. The request shall also
8 include the address to which the person wishes the requested
9 ballot forwarded. The request, when made for any primary or
10 special primary election, may include an additional request for
11 an absentee ballot to be voted at any election immediately
12 following the primary or special primary; provided the person so
13 indicates in the person's request.

14 Subsequent to the closing of registration for each
15 election, the clerk may mail a request form for an absentee
16 ballot to each voter in a remote area who has not already made
17 such a request. The request form shall be accompanied by:

- 18 (1) A stamped, self-addressed envelope; and
19 (2) Instructions regarding the manner of completing and
20 returning the request form."

21 SECTION 6. Section 40-54.5, Hawaii Revised Statutes, is
22 amended by amending subsection (a) to read as follows:



1 "(a) The appropriate government agencies shall disclose to
2 the recipient of payroll deductions information related to the
3 administration of payroll deductions as follows: name, [~~social~~
4 ~~security number,~~] and amounts and dates of both voluntary and
5 mandatory payroll deductions remitted to the recipient."

6 SECTION 7. Section 89-16.6, Hawaii Revised Statutes, is
7 amended by amending subsection (a) to read as follows:

8 "(a) The appropriate government agencies shall, upon
9 written request, disclose to an exclusive representative
10 information relating to the administration of payroll deductions
11 as authorized by section 89-4, as follows: name; mailing
12 address; [~~social security number,~~] bargaining unit; date of
13 change in bargaining unit status of the employee; full-time
14 equivalence of the employee; the employee's leave without pay
15 status with effective dates and duration; basic rate of pay;
16 types and effective dates of personnel actions that affect the
17 amount and payment of the basic rate of pay; salary scale and
18 range or equivalent; salary step or equivalent; amounts and
19 dates of differential pay; amounts and dates of statutory dues
20 deductions; and amounts and dates of other authorized voluntary
21 payroll deductions remitted to the exclusive representative;
22 except that this provision shall not apply to information



1 regarding present or former employees involved in an undercover
2 capacity in a law enforcement agency."

3 SECTION 8. Section 134-2, Hawaii Revised Statutes, is
4 amended by amending subsection (b) to read as follows:

5 "(b) The permit application form shall include the
6 applicant's name, address, sex, height, weight, date of birth,
7 place of birth, [~~social security number,~~] and information
8 regarding the applicant's mental health history and shall
9 require the fingerprinting and photographing of the applicant by
10 the police department of the county of registration; provided
11 that where fingerprints and photograph are already on file with
12 the department, these may be waived."

13 SECTION 9. Section 184-5.1, Hawaii Revised Statutes, is
14 amended to read as follows:

15 "[~~§~~184-5.1[~~§~~] **Arrest.** Except when authorized by law to
16 immediately take a person arrested for violation of the state
17 parks, historical objects and sites, and outdoor recreation laws
18 and regulations; traffic laws and ordinances; and the laws of
19 the State and the rules and regulations of the department
20 relative to the protection and proper utilization of the
21 recreational, scenic, historical, natural and archaeological,
22 scientific and related resources of state and private lands



1 before a magistrate, any state parks enforcement officer upon
2 arresting any person for violation of the state parks,
3 historical objects and sites, and outdoor recreation laws and
4 regulations; traffic laws and ordinances; and laws of the State
5 and the rules and regulations of the department relative to the
6 protection and proper utilization of the recreational, scenic,
7 historical, natural and archaeological, scientific and related
8 resources of state and private lands shall take the name~~[7]~~ and
9 address~~[7, social security number]~~ and other pertinent
10 information of the person and shall issue to the person a
11 summons and citation, printed in the form hereinafter described,
12 mandating warning the person to appear and answer to the charge
13 against the person at a certain place and at a time within seven
14 days after the arrest."

15 SECTION 10. Section 237-30.5, Hawaii Revised Statutes, is
16 amended by amending subsections (b) and(c) to read as follows:

17 "(b) Every written rental collection agreement shall have
18 on the first page of the agreement the name, address, [~~social~~
19 ~~security number,~~] and, if available, the general excise tax
20 number of the owner of the real property being rented, the
21 address of the property being rented, and the following



1 statement which shall be set forth in bold print and in ten-
2 point type size:

3 **"HAWAII GENERAL EXCISE TAXES MUST BE PAID ON THE GROSS RENTS**
4 **COLLECTED BY ANY PERSON RENTING REAL PROPERTY IN THE STATE OF**
5 **HAWAII. A COPY OF THE FIRST PAGE OF THIS AGREEMENT, OR OF**
6 **FEDERAL INTERNAL REVENUE FORM 1099 STATING THE AMOUNT OF RENTS**
7 **COLLECTED, SHALL BE FILED WITH THE HAWAII DEPARTMENT OF**
8 **TAXATION."**

9 Every person entering an oral rental collection agreement
10 shall furnish the department of taxation the information
11 required under this subsection and shall give the owner of the
12 property a copy of the notice required by this subsection.

13 (c) Every person authorized to collect rent for another
14 person shall file a copy of the first page of the rental
15 collection agreement with the department of taxation within
16 thirty days after entering into the agreement, or shall file a
17 copy of federal Internal Revenue form 1099 [~~the property~~
18 ~~owner's social security number,~~] and, if available, the general
19 excise tax license number of the owner of the property being
20 rented with the department of taxation at the same time as such
21 forms must be filed with the Internal Revenue Service."



1 SECTION 11. Section 256-4, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:

3 "(a) A college account may be opened by any person who
4 desires to save money for the payment of the qualified higher
5 education expenses on behalf of a designated beneficiary. The
6 person shall be considered the account owner as defined in
7 section 256-1. An application for an account shall be in the
8 form prescribed by the program and shall contain the following:

- 9 (1) The name, address, and [~~social security number or~~
10 employer identification number of the account owner;
11 (2) The designation of a beneficiary;
12 (3) The name[~~]~~ and address[~~, and social security number~~]
13 of the designated beneficiary;
14 (4) A certification relating to no excess contributions;
15 and
16 (5) Other information as the program may require."

17 SECTION 12. Section 286-111, Hawaii Revised Statutes, is
18 amended by amending subsections (c) and (d) to read as follows:

19 "(c) Every application shall state the full name, date of
20 birth, sex, occupation, [~~social security number if the applicant~~
21 ~~is eligible for a social security number,~~] the residence address
22 and business address, if any, of the applicant, and shall



1 briefly describe the applicant, and shall state whether the
 2 applicant has theretofore been licensed as a driver, and, if so,
 3 when and in what state or country, and whether any such license
 4 has ever been suspended or revoked, or whether an application
 5 has ever been refused, and if so, the date of and reason for the
 6 suspension, revocation, or refusal.

7 ~~(d) [If the applicant is not eligible to receive a social~~
 8 ~~security number, the] The applicant shall submit[, in lieu of~~
 9 ~~providing proof of social security number pursuant to subsection~~

10 ~~(e):~~

11 ~~(1) A United States Social Security Administration letter~~
 12 ~~stating that the applicant is ineligible to obtain a~~
 13 ~~social security number; and~~

14 ~~(2) Either:~~

15 ~~(A) A] either a government-issued photo~~
 16 ~~identification document[; or~~

17 ~~(B) ~~Other~~] or other identification documents as~~
 18 ~~deemed acceptable by the director."~~

19 SECTION 13. Section 286-238, Hawaii Revised Statutes, is
 20 amended by amending subsection (a) to read as follows:

1 "(a) The application for a commercial driver's license or
2 commercial driver's instruction permit shall include the
3 following with respect to the applicant:

4 (1) The full name and current mailing, residential, and
5 business addresses;

6 (2) A physical description including sex and height;

7 (3) Date of birth;

8 ~~[(4) Social security number;~~

9 ~~+(5)]~~ (4) Signature;

10 ~~[(6)]~~ (5) Color photograph;

11 ~~[(7)]~~ (6) Certifications including those required by 49
12 Code of Federal Regulations, §383.71(a), except that
13 this certification applies to both intrastate and
14 interstate drivers;

15 ~~[(8)]~~ (7) The names of all states where the applicant has
16 previously been licensed to drive any type of motor
17 vehicle during the previous ten years; and

18 ~~[(9)]~~ (8) Any other information required by section
19 286-111.

20 The applicant shall produce proof of residency to show the
21 applicant's state of domicile as defined in 49 Code of Federal
22 Regulations Part 383.5."



1 SECTION 14. Section 302A-807, Hawaii Revised Statutes, is
2 amended by amending subsection (d) to read as follows:

3 "(d) Upon revocation of a license, the board may disclose
4 the name, birthdate, [~~social security number,~~] and any other
5 pertinent information about the former holder of the license:

- 6 (1) To the department; and
7 (2) For the purpose of exchanging information under
8 chapter 315 with other national or state teacher
9 certification agencies about school personnel who have
10 had licenses revoked."

11 SECTION 15. Section 329-1, Hawaii Revised Statutes, is
12 amended by amending the definition of "identification number" to
13 read as follows:

14 ""Identification number" means, with respect to a patient:

- 15 (1) The unique, valid driver's license number of the
16 patient, followed by the two-digit United States
17 Postal Service code for the state issuing the driver's
18 license or, if the patient is a foreign patient, the
19 patient's passport number. If the patient does not
20 have a driver's license, the [~~"identification number"~~
21 ~~means the patient's social security number, followed~~
22 ~~by the patient's state of residency code.~~] department



1 shall devise an identification code. If the patient
2 is less than eighteen years old and has no such
3 identification, the identification number means the
4 unique number contained on the valid driver's license
5 of the patient's parent or guardian; or

6 (2) If the controlled substance is obtained for an animal,
7 the unique number described in paragraph (1) of the
8 animal's owner."

9 SECTION 16. Section 338-11, Hawaii Revised Statutes, is
10 amended to read as follows:

11 "**§338-11 Form of certificates.** The forms of certificates
12 shall include as a minimum the items required by the respective
13 standard certificates as recommended by the Public Health
14 Service, National Center for Health Statistics, subject to
15 approval of and modification by the department of health. [~~In~~
16 addition, the forms of death certificates shall require the
17 individual's social security number.] The form and use of the
18 certificates shall be subject to sections 338-16 to 338-18."

19 SECTION 17. Section 453-17, Hawaii Revised Statutes, is
20 amended to read as follows:

21 "**§453-17 Subpoena of peer review adverse decision report.**

22 In connection with an investigation under section 453-7.5, the



1 director of commerce and consumer affairs may issue subpoenas,
2 pursuant to section 26-9(j), compelling the production of
3 hospital records of patients whose cases were reviewed by a peer
4 review committee that filed a report pursuant to section 663-
5 1.7, as well as the full report reflecting the committee's
6 decision and the basis of that decision, notwithstanding section
7 624-25.5. A medical society, hospital, or health care facility
8 shall expunge from the documents only the following patient
9 identifiers: name, address, telephone number, and hospital
10 identification number [~~and social security number~~].
11 Information for investigation which was obtained through a
12 subpoena shall be for the sole use by the department of commerce
13 and consumer affairs to carry out its responsibilities and
14 functions and shall be held confidential by the department,
15 unless the information is admissible evidence at a hearing held
16 under section 453-9. This investigation shall be deemed a
17 sensitive matter related to public safety under section 92-5."

18 SECTION 18. Section 467B-12, Hawaii Revised Statutes, is
19 amended by amending subsection (a) to read as follows:

20 "(a) Every professional fundraising counsel or
21 professional solicitor, prior to any solicitation, shall file a
22 registration statement with the department. The statement shall



1 be in writing under oath or affirmation in the form prescribed
2 by the attorney general and shall contain the information as the
3 attorney general may require. The registration statement shall
4 be accompanied by a fee in the amount of \$250, or in the amount
5 and with any additional sums as may be prescribed by the
6 attorney general. The statement shall list the names[~~7~~] and
7 addresses[~~7~~, ~~and social security numbers~~] of all officers,
8 agents, servants, employees, directors, and independent
9 contractors of a professional fundraising counsel, and the
10 names[~~7~~] and addresses[~~7~~, ~~and social security numbers~~] of all
11 officers, agents, servants, employees, directors, and
12 independent contractors of a professional solicitor. Renewal
13 statements shall be filed with the department on or before July
14 1 of each calendar year in which the professional fundraising
15 counsel or professional solicitor does business in or from the
16 State and shall be effective until June 30 of the next calendar
17 year. The renewal statement shall be in a form prescribed by
18 the attorney general. A renewal fee of \$250, or in any amount
19 and with any additional sums as may be prescribed by the
20 attorney general, shall accompany the renewal statement."

21 SECTION 19. Section 501-151, Hawaii Revised Statutes, is
22 amended to read as follows:



1 "§501-151 Pending actions, judgments; recording of,
2 **notice.** No writ of entry, action for partition, or any action
3 affecting the title to real property or the use and occupation
4 thereof or the buildings thereon, and no judgment, nor any
5 appeal or other proceeding to vacate or reverse any judgment,
6 shall have any effect upon registered land as against persons
7 other than the parties thereto, unless a full memorandum
8 thereof, containing also a reference to the number of
9 certificate of title of the land affected is filed or recorded
10 and registered. Except as otherwise provided, every judgment
11 shall contain or have endorsed on it the [~~social security~~
12 ~~number,~~] State of Hawaii general excise taxpayer identification
13 number[~~7~~] or federal employer identification number for persons,
14 corporations, partnerships or other entities against whom the
15 judgment is rendered. If the judgment debtor has no [~~social~~
16 ~~security number,~~] State of Hawaii general excise taxpayer
17 identification number[~~7~~] or federal employer identification
18 number, or if that information is not in the possession of the
19 party seeking registration of the judgment, the judgment shall
20 be accompanied by a certificate that provides that the
21 information does not exist or is not in the possession of the
22 party seeking registration of the judgment. Failure to disclose



1 or disclosure of an incorrect [~~social security number~~,] State of
2 Hawaii general excise taxpayer identification number[7] or
3 federal employer identification number shall not in any way
4 adversely affect or impair the lien created upon recording of
5 the judgment. This section does not apply to attachments,
6 levies of execution, or to proceedings for the probate of wills,
7 or for administration in a probate court; provided that in case
8 notice of the pendency of the action has been duly registered it
9 is sufficient to register the judgment in the action within
10 sixty days after the rendition thereof.

11 As used in this chapter "judgment" includes an order or
12 decree having the effect of a judgment.

13 Notice of the pendency of an action in a United States
14 District Court, as well as a court of the State of Hawaii, may
15 be recorded."

16 SECTION 20. Section 502-33, Hawaii Revised Statutes, is
17 amended to read as follows:

18 **"§502-33 Identification of reference to registration of**
19 **original.** The registrar shall not record any instrument
20 requiring a reference to a prior recorded instrument, unless the
21 same contains a reference to the book and page or document
22 number of the registration of the original recorded instrument



1 or a statement that the original instrument is unrecorded, as
2 the case may be. Except as otherwise provided, every judgment
3 shall contain or have endorsed on it the [~~social security~~
4 ~~number,~~] State of Hawaii general excise taxpayer identification
5 number[~~7~~] or federal employer identification number for persons,
6 corporations, partnerships, or other entities against whom the
7 judgment is rendered. If the judgment debtor has no [~~social~~
8 ~~security number,~~] State of Hawaii general excise taxpayer
9 identification number[~~7~~] or federal employer identification
10 number, or if that information is not in the possession of the
11 party seeking registration of the judgment, the judgment shall
12 be accompanied by a certificate that provides that the
13 information does not exist or is not in the possession of the
14 party seeking registration of the judgment. Failure to disclose
15 or disclosure of an incorrect [~~social security number,~~] State of
16 Hawaii general excise taxpayer identification number[~~7~~] or
17 federal employer identification number shall not in any way
18 adversely affect or impair the lien created upon registration of
19 the judgment. No amendment, continuation statement, termination
20 statement, statement of assignment, or statement of release
21 relating to security interests in goods which are or are to
22 become fixtures shall be filed unless it complies with the



1 requirements of part 5 of Article 9 of the Uniform Commercial
2 Code. This section does not apply to any document mentioned
3 herein executed prior to April 13, 1915."

4 SECTION 21. Section 504-1, Hawaii Revised Statutes, is
5 amended to read as follows:

6 **"§504-1 Registration of federal judgments.** Judgments of
7 United States courts may be registered, recorded, docketed, and
8 indexed in the bureau of conveyances or with the assistant
9 registrar of the land court in the same manner as judgments of
10 the courts of the State. Except as otherwise provided, every
11 judgment shall contain or have endorsed on it the [~~social~~
12 ~~security number~~,] State of Hawaii general excise taxpayer
13 identification number[~~7~~] or federal employer identification
14 number for persons, corporations, partnerships, or other
15 entities against whom the judgment is rendered. If the judgment
16 debtor has no [~~social security number~~,] State of Hawaii general
17 excise taxpayer identification number[~~7~~] or federal employer
18 identification number, or if that information is not in the
19 possession of the party seeking the registration, recordation,
20 docketing, or indexing of the judgment, the judgment shall be
21 accompanied by a certificate that provides that the information
22 does not exist or is not in the possession of the party seeking



1 registration, recordation, docketing, or indexing of the
2 judgment. Failure to disclose or disclosure of an incorrect
3 [~~social security number~~,] State of Hawaii general excise
4 taxpayer identification number[~~7~~] or federal employer
5 identification number shall not in any way adversely affect or
6 impair the lien created upon the registration, recordation,
7 docketing, or indexing of the judgment."

8 SECTION 22. Section 571-52.6, Hawaii Revised Statutes, is
9 amended to read as follows:

10 **"§571-52.6 Child support order, judgment, or decree;**
11 **accident and sickness insurance coverage.** Each order, judgment,
12 or decree under this chapter or chapter 576B, 580, or 584
13 ordering a person to pay child support shall include the
14 following provisions:

15 (1) Both the obligor and the obligee are required to file
16 with the state case registry, through the child
17 support enforcement agency, upon entry of the child
18 support order and to update as appropriate,
19 information on the identity and location of the party,
20 including [~~social security number~~,] residential and
21 mailing addresses, telephone number, driver's license
22 number [~~if different from social security number~~], and



1 name, address, and telephone number of the party's
2 employer; and

3 (2) The liability of that person for accident and sickness
4 insurance coverage when available at reasonable cost."

5 SECTION 23. Section 572-6, Hawaii Revised Statutes, is
6 amended to read as follows:

7 "**§572-6 Application; license; limitations.** To secure a
8 license to marry, the persons applying for the license shall
9 appear personally before an agent authorized to grant marriage
10 licenses and shall file with the agent an application in
11 writing. The application shall be accompanied by a statement
12 signed and sworn to by each of the persons, setting forth: the
13 person's full name, date of birth, [~~social security number,~~]
14 residence; their relationship, if any; the full names of
15 parents; and that all prior marriages, if any, have been
16 dissolved by death or dissolution. If all prior marriages have
17 been dissolved by death or dissolution, the statement shall also
18 set forth the date of death of the last prior spouse or the date
19 and jurisdiction in which the last decree of dissolution was
20 entered. Any other information consistent with the standard
21 marriage certificate as recommended by the Public Health
22 Service, National Center for Health Statistics, may be requested



1 for statistical or other purposes, subject to approval of and
2 modification by the department of health; provided that the
3 information shall be provided at the option of the applicant and
4 no applicant shall be denied a license for failure to provide
5 the information. The agent shall indorse on the application,
6 over the agent's signature, the date of the filing thereof and
7 shall issue a license which shall bear on its face the date of
8 issuance. Every license shall be of full force and effect for
9 thirty days commencing from and including the date of issuance.
10 After the thirty-day period, the license shall become void and
11 no marriage ceremony shall be performed thereon.

12 It shall be the duty of every person, legally authorized to
13 grant licenses to marry, to immediately report the issuance of
14 every marriage license to the agent of the department of health
15 in the district in which the license is issued, setting forth
16 all facts required to be stated in such manner and on such form
17 as the department may prescribe."

18 SECTION 24. Section 576B-311, Hawaii Revised Statutes, is
19 amended by amending subsection (a) to read as follows:

20 "(a) A petitioner seeking to establish or modify a support
21 order or to determine parentage in a proceeding under this
22 chapter must verify the petition. Unless otherwise ordered



1 under section 576B-312, the petition or accompanying documents
2 must provide, so far as is known, the name~~[r]~~ and residential
3 address, and [~~social security numbers~~] of the obligor and the
4 obligee, and the name, sex, residential address, [~~social~~
5 ~~security number,~~] and date of birth of each child for whom
6 support is sought. The petition must be accompanied by a
7 certified copy of any support order in effect. The petition may
8 include any other information that may assist in locating or
9 identifying the respondent."

10 SECTION 25. Section 576B-602, Hawaii Revised Statutes, is
11 amended by amending subsection (a) to read as follows:

12 "(a) A support order or income withholding order of
13 another state may be registered in this State by sending the
14 following documents and information to the registering tribunal:

- 15 (1) A letter of transmittal to the registering tribunal
16 requesting registration and enforcement;
- 17 (2) Two copies, including one certified copy, of all
18 orders to be registered, including any modification of
19 an order;
- 20 (3) A sworn statement by the party seeking registration or
21 a certified statement by the custodian of the records
22 showing the amount of any arrearage;



- 1 (4) The name of the obligor and, if known:
- 2 (A) The obligor's address [~~and social security~~
- 3 ~~number~~];
- 4 (B) The name and address of the obligor's employer
- 5 and any other source of income of the obligor;
- 6 and
- 7 (C) A description and the location of property of the
- 8 obligor in this State not exempt from execution;
- 9 and
- 10 (5) The name and address of the obligee and, if
- 11 applicable, the agency or person to whom support
- 12 payments are to be remitted."

13 SECTION 26. Section 576D-10.5, Hawaii Revised Statutes, is

14 amended by amending subsection (f) to read as follows:

15 "(f) A lien shall be enforceable by the child support

16 enforcement agency or its designated counsel or by the obligee

17 in the following manner:

- 18 (1) By suit in the appropriate court;
- 19 (2) By bringing an action in an administrative tribunal;
- 20 (3) By filing and serving a notice of child support lien;
- 21 or
- 22 (4) By any lawful means of collection.



1 A notice of child support lien shall state the name [~~and social~~
2 ~~security number (if available)~~] of the obligor, the child
3 support enforcement case number, the amount of the lien and the
4 through date (if applicable), the accruing monthly amount, and
5 the date on which the order or judgment regarding child support
6 or public assistance debt was recorded with the bureau of
7 conveyances. The notice shall require that whoever is served
8 with a notice of child support lien either satisfy the lien or
9 obtain a release of the lien prior to disbursing any funds to
10 the obligor. The method of service of a notice of child support
11 lien shall be by certified mail, return receipt requested, or by
12 personal delivery to the individual or entity referred to. A
13 copy of the notice of child support lien shall also be sent to
14 the obligor by regular mail at the obligor's last known address.
15 Upon service of a notice of child support lien, the individual
16 or entity served shall withhold the amount of the lien from the
17 proceeds of any estate, judgment, settlement, compromise,
18 vacation or holiday pay, or other benefits due the obligor and
19 deliver the funds to the child support enforcement agency. A
20 notice of child support lien may be amended from time to time
21 until extinguished or released, each amendment taking effect



1 upon proper service. A notice of child support lien shall
2 remain in effect until satisfied, extinguished, or released."

3 SECTION 27. Section 576D-13, Hawaii Revised Statutes, is
4 amended as follows:

5 1. By amending subsection (b) to read:

6 "(b) The notice shall be sent by regular mail to both the
7 last known address of record of the obligor or individual as
8 shown in the records of the licensing authority and the address
9 of record of the obligor or individual as shown in the agency's
10 child support record. For purposes of this section, the date of
11 service means two days following the date of mailing. The
12 notice shall contain the following information:

13 (1) Identification of the license, certificate, permit, or
14 registration subject to suspension, nonrenewal,
15 nonreinstatement, nonrestoration, or denial;

16 (2) The name, [~~social security number, if available,~~] date
17 of birth, if known, and each applicable child support
18 case number or numbers of the obligor or individual;

19 (3) The amount of the arrears, the amount of the monthly
20 child support obligation, and reference to the support
21 order upon which the support amount and arrears are



1 based or the subpoena or warrant that the individual
2 has failed to comply with;

3 (4) A statement that the obligor or individual may contest
4 the suspension, nonrenewal, nonreinstatement,
5 nonrestoration, or denial of a license by requesting a
6 hearing in writing within thirty days of the date of
7 service of the notice of intent to suspend, not renew,
8 not reinstate, not restore, or deny the license;

9 (5) A statement that the obligor may contact the agency in
10 writing within thirty days of the date of service of
11 the notice and enter into a monthly payment agreement
12 for the arrears owed, and if an agreement is entered
13 into within thirty days of making contact with the
14 agency, the agency shall not pursue the suspension,
15 nonrenewal, nonreinstatement, nonrestoration, or
16 denial of the license;

17 (6) A statement that an individual not in compliance with
18 a subpoena or warrant relating to a paternity or child
19 support proceeding may contact the agency in writing
20 within thirty days of the date of service of the
21 notice and enter into an agreement to provide the
22 information or appear at the proceedings, and if so,



1 the agency shall not pursue the suspension,
2 nonrenewal, nonreinstatement, nonrestoration, or
3 denial of the license; and

4 (7) A statement that if the obligor or individual makes a
5 timely request as specified in paragraph (4), the
6 agency shall stay the action until a decision is
7 made."

8 2. By amending subsection (i) to read:

9 "(i) The agency shall adopt rules necessary for the
10 implementation and administration of this section. The
11 licensing authority shall adopt rules necessary for the
12 implementation and administration of this section. [~~The
13 appropriate licensing authority shall require that the social
14 security number of any applicant for a professional license,
15 driver's license, occupational license, recreational license, or
16 marriage license be recorded on the application for those
17 licenses. The social security number shall be used solely for
18 purposes of this chapter for child support enforcement and
19 identification.~~]"

20 SECTION 28. Section 576D-15, Hawaii Revised Statutes, is
21 amended by amending subsection (b) to read as follows:



1 "(b) The financial institution shall provide to the
2 agency, on a quarterly basis, the name, record address, [~~social~~
3 ~~security number or~~] other taxpayer identification number, and
4 other identifying information for each noncustodial parent who
5 maintains an account at such institution and who owes past due
6 support, as identified by the agency by name and [~~social~~
7 ~~security number or other~~] taxpayer identification number. The
8 information provided by the financial institution shall also
9 include the name and last known address of all account holders
10 of any account reported under this section."

11 SECTION 29. Section 576E-11, Hawaii Revised Statutes, is
12 amended to read as follows:

13 "**§576E-11 Administrative orders; required findings.** Every
14 order entered pursuant to this chapter shall specify, where
15 applicable, the following:

- 16 (1) The amount of periodic support to be paid by a party
17 with directions as to the manner of payment;
- 18 (2) The amount of child support arrearage, if any, that
19 has accrued under an existing court or administrative
20 order;



- 1 (3) The amount of child support owed for a period during
2 which public assistance was provided to the child or
3 children by the department of human services;
- 4 (4) The amount of the periodic payment to be made in
5 liquidation of child support arrearage, if any;
- 6 (5) A statement that a party's taxes shall be set off
7 against the amount of child support arrearage, if any;
- 8 (6) The extent of the party's responsibility to provide
9 medical insurance coverage for the dependent child
10 involved in the case, or otherwise to pay the
11 reasonable and necessary medical expenses of the
12 dependent child, and a statement that the party is
13 required to keep the agency informed of whether the
14 party has access to medical insurance coverage at a
15 reasonable cost and, if so, the medical insurance
16 policy information;
- 17 (7) The name and birth date of the dependent child;
- 18 (8) A statement that the property of the party is subject
19 to collection action, including withholding of income,
20 unemployment compensation, workers' compensation, and
21 retirement benefits, seizure of property, disclosure
22 of information relating to the party's debts to



- 1 consumer credit reporting agencies, and federal and
2 state tax refund setoff;
- 3 (9) A statement that violations of the administrative
4 order are punishable as contempt of court;
- 5 (10) A statement notifying the parties of the right to
6 judicial review of administrative orders, and the
7 procedure for obtaining such review;
- 8 (11) Identifying information for each party, including
9 ~~[social security number,]~~ residential and mailing
10 addresses, telephone number, driver's license number
11 ~~[if different from the social security number]~~, and
12 name, address, and telephone number of the party's
13 employer, unless there is a finding that such
14 disclosure of information would unreasonably put at
15 risk the health, safety, or liberty of a party or
16 child; and
- 17 (12) A statement that both the obligor party and the
18 obligee party are required to file with the state case
19 registry, through the agency, upon entry of the
20 support order and to update as appropriate,
21 information on the identity and location of the party,
22 including ~~[social security number,]~~ residential and



1 mailing addresses, telephone number, driver's license
2 number [~~if different from social security number~~], and
3 name, address, and telephone number of the party's
4 employer."

5 SECTION 30. Section 584-3.5, Hawaii Revised Statutes, is
6 amended by amending subsection (a) to read as follows:

7 "(a) To expedite the establishment of paternity, each
8 public and private birthing hospital or center and the
9 department of health shall provide unwed parents the opportunity
10 to voluntarily acknowledge the paternity of a child during the
11 period immediately prior to or following the child's birth. The
12 voluntary acknowledgment of paternity shall be in writing and
13 shall consist of a single form signed under oath by both the
14 natural mother and the natural father and signed by a witness.
15 The voluntary acknowledgment of paternity form shall include the
16 social security number of each parent. Prior to the signing of
17 the voluntary acknowledgment of paternity form, designated staff
18 members of such facilities shall provide to both the mother and
19 the alleged father, if he is present at the facility:

- 20 (1) Written materials regarding paternity establishment;
21 (2) Forms necessary to voluntarily acknowledge paternity;
22 and



1 (3) Oral, video, or audio, and written descriptions of the
2 alternatives to, the legal consequences of, and the
3 rights and responsibilities of acknowledging
4 paternity, including, if one parent is a minor, any
5 right afforded due to minority status.

6 The completed voluntary acknowledgment forms shall clearly
7 identify the name and position of the staff member who provides
8 information to the parents regarding paternity establishment.
9 The provision by designated staff members of the facility of the
10 information required by this section shall not constitute the
11 unauthorized practice of law. Each facility shall send to the
12 department of health the original acknowledgment of paternity
13 [~~containing the social security numbers, if available, of both~~
14 ~~parents~~], with the information required by the department of
15 health so that the birth certificate issued includes the name of
16 the legal father of the child, which shall be promptly recorded
17 by the department of health."

18 SECTION 31. Section 612-17, Hawaii Revised Statutes, is
19 amended by amending subsection (c) to read as follows:

20 "(c) Whenever a judge requires the services of a trial
21 jury for use in proceedings before the judge or any other judge
22 of the circuit, the judge may order the required number of



1 jurors from the clerk. Upon receipt by the judge of the
2 envelopes containing the juror qualification forms, they shall
3 be made available to the litigants concerned; provided that the
4 jurors' [~~social security number,~~] driver's license number and
5 home and business telephone numbers are first redacted.
6 Litigants and their attorneys shall not further divulge the
7 forms or the contents of the forms except when questioning
8 prospective jurors in conjunction with the juror selection
9 process."

10 SECTION 32. Section 636-3, Hawaii Revised Statutes, is
11 amended to read as follows:

12 "§636-3 Judgment, lien when. Any money judgment or decree
13 of a state court or the United States District Court for the
14 District of Hawaii shall be a lien upon real property when a
15 copy thereof, certified as correct by a clerk of the court where
16 it is entered, is recorded in the bureau of conveyances. No such
17 lien shall continue beyond ten years after the date of the
18 judgment. Except as otherwise provided, every judgment shall
19 contain or have endorsed on it the [~~social security number,~~]
20 State of Hawaii general excise taxpayer identification number,
21 or federal employer identification number for persons,
22 corporations, partnerships, or other entities against whom the



1 judgment is rendered. If the judgment debtor has no [~~social~~
2 ~~security number,~~] State of Hawaii general excise taxpayer
3 identification number[7] or federal employer identification
4 number, or if that information is not in the possession of the
5 party seeking registration of the judgment, the judgment shall
6 be accompanied by a certificate that provides that the
7 information does not exist or is not in the possession of the
8 party seeking recordation of the judgment. Failure to disclose
9 or disclosure of an incorrect [~~social security number,~~] State of
10 Hawaii general excise taxpayer identification number[7] or
11 federal employer identification number shall not in any way
12 adversely affect or impair the lien created upon recordation of
13 the judgment. When any such judgment is fully paid, the creditor
14 or the creditor's attorney of record in the action shall, at the
15 expense of the debtor, execute, acknowledge, and deliver to the
16 debtor a satisfaction thereof, which may be recorded in the
17 bureau. Every satisfaction or assignment of judgment shall
18 contain a reference to the book and page or document number of
19 the registration of the original judgment. The recording fees
20 for a judgment and for each assignment or satisfaction of
21 judgment shall be as provided by section 502-25.



1 In the case of registered land, section 501-102 and
2 sections 501-241 to 501-248 shall govern."

3 SECTION 33. Section 803-6, Hawaii Revised Statutes, is
4 amended by amending subsection (c) to read as follows:

5 "(c) The citation shall contain:

6 (1) Name and current address of offender;

7 [~~2~~] ~~Social security number;~~

8 [~~3~~] (2) Description of offender;

9 [~~4~~] (3) Nature of the offense;

10 [~~5~~] (4) Time and date;

11 [~~6~~] (5) Notice of time and date for court appearance;

12 [~~7~~] (6) Signature of officer (badge);

13 [~~8~~] (7) Signature of offender agreeing to court
14 appearance;

15 [~~9~~] (8) Remarks; and

16 [~~10~~] (9) Notice-you are hereby directed to appear at the
17 time and place designated above to stand trial for the
18 offense indicated. A failure to obey this citation
19 may result in a fine or imprisonment, or both."

20 SECTION 34. Section 846-28, Hawaii Revised Statutes, is
21 amended by amending subsection (a) to read as follows:



1 "(a) The department of the attorney general shall require,
2 collect, secure, make, and maintain a record of the following
3 items of information with respect to each applicant for
4 registration:

- 5 (1) The name of the person applying to be registered
6 (hereinafter called the "registrant" or "applicant"),
7 the street and number or address of the applicant's
8 place of permanent residence, and the applicant's
9 residence and business telephone numbers, if any;
- 10 (2) The applicant's occupation and any pertinent data
11 relating thereto;
- 12 (3) The applicant's racial extraction;
- 13 (4) The applicant's citizenship;
- 14 (5) The date and place of the applicant's birth;
- 15 (6) The applicant's personal description, including sex,
16 height, weight, hair, eyes, complexion, build, scars,
17 and marks;
- 18 (7) The applicant's right and left index fingerprints or,
19 if the applicant has no right index finger or left
20 index finger, other identifying imprint as specified
21 by rules of the department; provided that this



1 requirement shall not apply to minors until they reach
2 the age of three years;

3 (8) The name, relationship, and address of the nearest
4 relative or other person to be notified in case of
5 sickness, accident, death, emergency, or need of the
6 applicant, if such notification is desired; and

7 ~~[(9) The social security number of the applicant; and~~

8 ~~+(10)]~~ (9) A frontal photograph of the applicant's full
9 face."

10 SECTION 35. Section 846E-2, Hawaii Revised Statutes, is
11 amended by amending subsection (c) to read as follows:

12 "(c) Registration information for each covered offender
13 shall consist of a recent photograph, verified fingerprints, and
14 a signed statement by the covered offender containing:

15 (1) The name, all prior names, and all aliases used by the
16 covered offender or under which the covered offender
17 has been known and other identifying information,
18 including date of birth, ~~[social security number,]~~
19 sex, race, height, weight, and hair and eye color;

20 (2) The actual address and telephone number of the covered
21 offender's residence or mailing address, or any
22 current, temporary address where the covered offender



- 1 resides, and for each address how long the covered
2 offender has resided there;
- 3 (3) The actual address and telephone number where the
4 covered offender is staying for a period of more than
5 ten days, if other than the stated residence;
- 6 (4) If known, the future address and telephone number
7 where the covered offender is planning to reside, if
8 other than the stated residence;
- 9 (5) Names and, if known, actual business addresses of
10 current and known future employers and the starting
11 and ending dates of any such employment;
- 12 (6) Names and actual addresses of current and known future
13 educational institutions with which the covered
14 offender is affiliated in any way, whether or not
15 compensated, including but not limited to affiliation
16 as a faculty member, an employee, or a student, and
17 the starting and ending dates of any such affiliation;
- 18 (7) The year, make, model, color, and license number of
19 all vehicles currently owned or operated by the
20 covered offender;



- 1 (8) A statement listing all covered offenses for which the
- 2 covered offender has been convicted or found unfit to
- 3 proceed or acquitted pursuant to chapter 704;
- 4 (9) A statement indicating whether the covered offender
- 5 has received or is currently receiving treatment
- 6 ordered by a court of competent jurisdiction or by the
- 7 Hawaii paroling authority;
- 8 (10) A statement indicating whether the covered offender is
- 9 a United States citizen; and
- 10 (11) Any additional identifying information about the
- 11 covered offender."

12 SECTION 36. Section 571-84.5, Hawaii Revised Statutes, is
 13 repealed.

14 [~~"§571-84.5 Support order, decree, judgment, or~~
 15 ~~acknowledgment; social security number. The social security~~
 16 ~~number of any individual who is a party to a divorce decree, or~~
 17 ~~subject to a support order or paternity determination, or has~~
 18 ~~made an acknowledgment of paternity issued under this chapter or~~
 19 ~~chapter 576B, 580, or 584 shall be placed in the records~~
 20 ~~relating to the matter."]~~

21 SECTION 37. Section 580-16, Hawaii Revised Statutes, is
 22 repealed.



1 ~~["§580-16] Divorce decree, support order; social security~~
2 ~~number. The social security number of any individual who is~~
3 ~~party to a divorce decree or subject to a support order issued~~
4 ~~under this chapter shall be placed in the records relating to~~
5 ~~the matter."]~~

6 SECTION 38. Section 584-23.5, Hawaii Revised Statutes, is
7 repealed.

8 ~~["§584-23.5] Paternity judgment, acknowledgment, support~~
9 ~~order; social security number. The social security number of~~
10 ~~any individual who is subject to a paternity judgment or~~
11 ~~acknowledgment, or support order issued under this chapter shall~~
12 ~~be placed in the records relating to the matter."]~~

13 SECTION 39. Any state or county agency that is required to
14 establish an alternate method of identification shall have until
15 September 1, 2006 to cease requesting, collecting, and using
16 social security numbers for identification purposes, unless the
17 use is an exception allowed pursuant to the federal Privacy Act
18 of 1974.

19 SECTION 40. Statutory material to be repealed is bracketed
20 and stricken. New statutory material is underscored.

1 SECTION 41. This Act shall take effect on July 1, 2006.

2

INTRODUCED BY:

~~_____~~

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Report Title:

Social Security Numbers; Identity Theft

Description:

Lowers risk of identity theft by prohibiting collection or use of social security numbers by state or county agencies except as allowed by the federal Privacy Act.

