
A BILL FOR AN ACT

RELATING TO INFORMATION PRACTICES.

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

1 SECTION 1. Section 92F-13, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "§92F-13 Government records; exceptions to general rule.

4 This part shall not require disclosure of:

5 (1) Government records which, if disclosed, would
6 constitute a clearly unwarranted invasion of personal
7 privacy;

8 (2) Government records pertaining to the prosecution or
9 defense of any judicial or quasi-judicial action to
10 which the State or any county is or may be a party, to
11 the extent that such records would not be
12 discoverable;

13 (3) Government records that, by their nature, must be
14 confidential [~~in order~~] for the government to avoid
15 the frustration of a legitimate government function;

16 (4) Government records which, pursuant to state or federal
17 law including an order of any state or federal court,
18 are protected from disclosure; [and]



- 1 (5) Inchoate and draft working papers of legislative
2 committees including, budget worksheets and unfiled
3 committee reports; work product; records or
4 transcripts of an investigating committee of the
5 legislature which are closed by rules adopted pursuant
6 to section 21-4 and the personal files of members of
7 the legislature [-]; and
- 8 (6) Government records in response to duplicate requests;
9 provided that the agency to which the request was
10 made:
- 11 (A) Previously provided substantially similar
12 government records as those requested under the
13 duplicate request;
- 14 (B) Conducted a good faith review and comparison of
15 earlier requests and the pending request,
16 determined that the pending request is a
17 duplicate request, and the requested government
18 records have been provided pursuant to the
19 earlier request;
- 20 (C) Provided the office of information practices with
21 copies of all requests from the requestor and a



1 list of government records provided to the
2 requestor pursuant to the earlier request;
3 (D) Obtained an opinion from the office of
4 information practices that the request is a
5 duplicate request and the agency is not required
6 to disclose the requested government records; and
7 (E) Provided the requestor with copies of the
8 agency's submittals to the office of information
9 practices, the agency's request for opinion, and
10 the office of information practices' opinion.

11 As used in this paragraph:

12 "Duplicate request" means more than one request
13 from a single requester for substantially similar
14 government documents."

15 SECTION 4. Statutory material to be repealed is bracketed
16 and stricken. New statutory material is underscored.

17 SECTION 5. This Act shall take effect upon its approval
18 and shall be repealed on July 1, 2013.



Report Title:

Information Practices; Vexatious Requests

Description:

Exempts disclosure of government records in response to duplicate requests from a single requestor, provided that the agency to which the request was made satisfies specified requirements. Sunset date on July 1, 2013. (SB2937 HD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

