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# A BILL FOR AN ACT

RELATING TO NATIVE HAWAIIANS.

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

1           SECTION 1. In Act 195, Session Laws of Hawaii 2011, the  
2 legislature recognized the Native Hawaiian people as the only  
3 indigenous, aboriginal, maoli people of Hawaii. Act 195 also  
4 provided for the recognition of the Native Hawaiian people by  
5 means and methods that would facilitate their self-governance,  
6 including the establishment of, or amendment to, programs,  
7 entities, and other matters pursuant to law that relate to or  
8 affect ownership, possession, or use of lands by the Native  
9 Hawaiian people, and by further promoting their culture,  
10 heritage, entitlements, health, education, and welfare.

11           To begin the process of recognition, Act 195 established a  
12 five-member roll commission whose purpose, in part, is to  
13 certify individuals on the roll of "qualified Native Hawaiians."  
14 A qualified Native Hawaiian must demonstrate that the individual  
15 is a descendant of the aboriginal peoples who, prior to 1778,  
16 occupied and exercised sovereignty in the Hawaiian islands; or  
17 that the individual is one of the indigenous, native people of  
18 Hawaii and was eligible in 1921 for the programs authorized by



1 the Hawaiian Homes Commission Act, 1920, or a direct lineal  
2 descendant of that individual. A qualified Native Hawaiian must  
3 also be eighteen years of age or older.

4 In order to meet the requirements of being certified as a  
5 qualified Native Hawaiian, an individual must produce birth,  
6 marriage, divorce, or death certificates, certified by the  
7 department of health. These certificates cost \$10 for the first  
8 copy and \$4 for each additional copy.

9 The purpose of this Act is to waive the fees for certified  
10 copies of birth, marriage, divorce, or death certificates when  
11 the certificates are required to prove that an individual is a  
12 qualified Native Hawaiian.

13 SECTION 2. Section 338-14.5, Hawaii Revised Statutes, is  
14 amended to read as follows:

15 **"§338-14.5 Copies of certificate; fees.** The fees for  
16 certified copies of birth, marriage, divorce, or death  
17 certificates issued by the department of health shall consist of  
18 \$10 for the first copy issued and \$4 for each copy issued  
19 thereafter. These fees shall be collected for each single  
20 request for certified copies[-]; provided that these fees shall  
21 be waived when the certified copies are required as proof that  
22 an individual is a qualified Native Hawaiian pursuant to section



1 10H-3. All fees received for the issuance of certified copies  
2 of birth, marriage, divorce, or death certificates shall be  
3 remitted to the director of health. Upon the receipt of  
4 remittances under this section, the director of health shall  
5 deposit:

6 (1) \$1 for each certified copy to the credit of the spouse  
7 and child abuse special account established under  
8 section 346-7.5;

9 (2) \$1 for each certified copy to the credit of the spouse  
10 and child abuse special account established under  
11 section 601-3.6;

12 (3) \$1 for each certified copy to the credit of the  
13 domestic violence and sexual assault special fund  
14 established under section 321-1.3;

15 (4) \$1 for each certified copy to the credit of the vital  
16 statistics improvement special fund established under  
17 section 338-14.6; and

18 (5) The remainder of the fee for each certified copy to  
19 the credit of the state general fund."

20 SECTION 3. Statutory material to be repealed is bracketed  
21 and stricken. New statutory material is underscored.

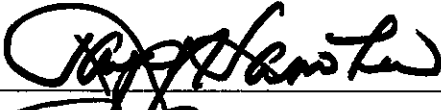


# H.B. NO. 1745

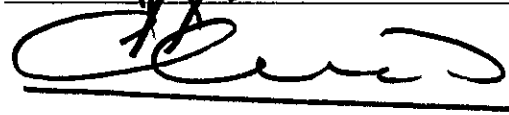
1 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY:



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# H.B. NO. 1745

**Report Title:**

Native Hawaiians; Certified Copies; Fees; Waiver

**Description:**

Waives the fees for certified copies of birth, marriage, divorce, or death certificates when the certificates are required to prove that an individual is a qualified Native Hawaiian for purposes of the Native Hawaiian roll.

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

