
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 establish a fee of \$1 for
10 certified copies of birth, marriage, divorce, or death
11 certificates which are required to prove that an individual is a
12 qualified Native Hawaiian and require that moneys collected from
13 the fee be deposited into the general fund.

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

16 "**§338-14.5 Copies of certificate; fees.** (a) The fees for
17 certified copies of birth, marriage, divorce, or death
18 certificates issued by the department of health shall consist of
19 \$10 for the first copy issued and \$4 for each copy issued
20 thereafter. These fees shall be collected for each single
21 request for certified copies.



1 (b) All fees received for the issuance of certified copies
2 of birth, marriage, divorce, or death certificates pursuant to
3 subsection (a) shall be remitted to the director of health.

4 Upon the receipt of remittances under this section, the director
5 of health shall 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 (c) The fee for a certified copy of a birth, marriage,
21 divorce, or death certificate issued by the department of health
22 shall be \$1 when the certified copy is required as proof that an



1 individual is a qualified Native Hawaiian pursuant to section
2 10H-3. The director of health shall deposit moneys collected
3 from the \$1 fee into the general fund."

4 SECTION 3. Statutory material to be repealed is bracketed
5 and stricken. New statutory material is underscored.

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



Report Title:

Native Hawaiians; Certified Copies; Fees; Waiver

Description:

Establishes a \$1 fee for certified copies of birth, marriage, divorce, or death certificates when required to verify qualified Native Hawaiian status for the Native Hawaiian roll. Requires Director of Health to deposit fee into the State's general fund.
(HB1745 HD1)

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