

JAN 21 2016

A BILL FOR AN ACT

RELATING TO GOVERNMENT ISSUED IDENTIFICATION.

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

1 SECTION 1. The legislature finds that to access basic
2 needs and fully participate in modern society, it is essential
3 for individuals to have the ability to establish one's identity
4 and obtain and maintain valid government issued identification.

5 The legislature further finds that government agencies and
6 other private entities rely upon valid government issued
7 identification or other vital records to verify identity and
8 guard against fraud and other wrong doing.

9 In response to the terrorist acts of September 11, 2001,
10 and the recommendations of the 9/11 Commission, Congress enacted
11 the REAL ID Act of 2005, Public Law 109-13. The REAL ID Act
12 established minimum security standards for license issuance and
13 production and prohibits federal agencies from accepting for
14 certain purposes driver's licenses and identification cards from
15 states not meeting the REAL ID Act's minimum standards. The
16 specific purposes covered by the REAL ID Act are: accessing
17 federal facilities, entering nuclear power plants, and, no



1 sooner than 2016, boarding federally regulated commercial
2 aircraft.

3 The State of Hawaii has established the necessary minimum
4 security standards and is in compliance with the REAL ID Act.

5 The legislature passed Act 172, Session Laws of Hawaii
6 2015, which created a limited purpose driver's license, limited
7 purpose provisional driver's license, and limited purpose
8 instruction permit. However, the limited purpose driver's
9 licenses, limited purpose provisional driver's licenses, and
10 limited purpose instruction permits are not acceptable for
11 federal identification and voting purposes. The limited purpose
12 driver's license requires satisfactory proof of identity and
13 Hawaii residency.

14 In 2015, the legislature also passed Act 243, Session Laws
15 of Hawaii 2015, which provides a process by which a homeless
16 individual may establish a principle address and request a fee
17 waiver from the examiner of drivers to obtain an original or
18 renewal identification card.

19 Act 243 (2015) also created a working group to "conduct
20 research and develop a plan to enable individuals in the State
21 who are unable to produce documentation required for a state



1 civil identification card to obtain satisfactory documentary
2 evidence." Working group members met and clarified issues that
3 were presented in the written testimony submitted to the
4 legislature for the underlying S.B. No. 273. The working group
5 also conducted informal research regarding issues that homeless
6 individuals face in replacing government issued identification.

7 Service providers reported that: homeless individuals lack
8 sufficient funds to pay fees required to obtain replacement
9 documentation required for the government issued identification;
10 the most common request for document replacement assistance are
11 from individuals from the United States mainland; for certain
12 individuals who have mental health or substance abuse histories,
13 tracking down basic information such as their current name or
14 place of birth may be a lengthy process; because verification
15 processes have changed, there may be a growing population of
16 elderly that will have difficulty updating their government
17 issued identification; and lastly, individuals often require
18 legal assistance to navigate the processes of different
19 jurisdictions and access systems.

20 The legislature finds that vulnerable populations, such as
21 the elderly, low income individuals, individuals experiencing



S.B. NO. 2088

1 homeless, recently released prisoners, and other vulnerable
 2 individuals, should be able to maintain current government
 3 issued identification.

4 The purpose of this Act is to appropriate funds to the
 5 department of human services, homeless programs office, to
 6 develop or expand homeless services to include assistance and
 7 public outreach for individuals to obtain and maintain
 8 government issued identification.

9 SECTION 2. There is appropriated out of the general
 10 revenues of the State of Hawaii the sum of \$ or so
 11 much thereof as may be necessary for fiscal year 2016-2017 for
 12 the homeless programs office to develop or expand assistance and
 13 public outreach for individuals to obtain and maintain
 14 government issued identification.

15 The sum appropriated shall be expended by the department of
 16 human services for the purposes of this Act.

17 SECTION 3. This Act shall take effect on July 1, 2016.
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S.B. NO. 2088

Report Title:

Government Issued Identification; Appropriation

Description:

Appropriates funds to the department of human services homeless programs office for services to obtain government issued identification.

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