

JAN 22 2016

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# A BILL FOR AN ACT

RELATING TO GOVERNMENT RECORDS.

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

1           SECTION 1. In *Molfino v. Yuen*, Civ. No. 07-1-0378, 2014  
2           (Haw. Sup. Ct. Nov. 13, 2014), the supreme court of the state of  
3           Hawaii upheld a circuit court ruling that, absent a statutory  
4           requirement, a government agency does not have a duty of  
5           reasonable care with respect to maintaining government records  
6           for the purpose of public inspection. The purpose of this Act  
7           is to amend chapter 92F, Hawaii Revised Statutes, to create a  
8           statutory requirement that government agencies exercise  
9           reasonable care in maintaining those government records open to  
10          public inspection.

11          SECTION 2. Section 92F-18, Hawaii Revised Statutes, is  
12          amended by amending subsection (a) to read as follows:

13          "(a) Each agency shall:

14          (1) Exercise reasonable care in the maintenance of all  
15          government records under its control that are required  
16          by this chapter to be available for public inspection;





# S.B. NO. 2294

**Report Title:**

Government Records; Maintenance; Duty to Exercise Reasonable Care; Public Inspection

**Description:**

Requires agencies to exercise reasonable care in the maintenance of all government records under its control that are required to be made available for public inspection.

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

