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# A BILL FOR AN ACT

RELATING TO ADDRESS CONFIDENTIALITY.

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

1           SECTION 1. The legislature finds that on July 5, 2018,  
2 Governor David Ige signed Act 115, Session Laws of Hawaii 2018,  
3 known as the Address Confidentiality Program Act, into law.  
4 This law provides survivors of domestic abuse, sexual offenses,  
5 or stalking with a substitute address to be used by state and  
6 local government agencies instead of their physical address.  
7 The substitute address may be used whenever an address is  
8 required for public records. Mail is received at the substitute  
9 address and forwarded to the survivor's actual address.

10           The legislature finds that the office of the lieutenant  
11 governor, rather than the department of the attorney general,  
12 may be the appropriate governmental entity to administer this  
13 program.

14           Accordingly, the purpose of this Act is to amend chapter  
15 801G, Hawaii Revised Statutes, to change the governmental entity  
16 responsible for administration of the address confidentiality  
17 program from the department of the attorney general to the  
18 office of the lieutenant governor.



1 SECTION 2. Section 801G-1, Hawaii Revised Statutes, is  
2 amended by deleting the definition of "department".

3 [~~"Department" means the department of the attorney~~  
4 ~~general.~~"]

5 SECTION 3. Section 801G-2, Hawaii Revised Statutes, is  
6 amended by amending subsection (a) to read as follows:

7 "(a) There is established the address confidentiality  
8 program in the [~~department of the attorney general~~] office of  
9 the lieutenant governor to protect the confidentiality of the  
10 actual address of a victim of domestic abuse, a sexual offense,  
11 or stalking and to prevent the victim's assailants or potential  
12 assailants from finding the victim through public records. The  
13 program shall:

14 (1) Assign a substitute address to the program participant  
15 that shall be used by agencies;

16 (2) Receive first-class, certified, or registered mail  
17 sent to a program participant at the substitute  
18 address and forward the mail to the program  
19 participant at no cost to the program participant;  
20 provided that the program shall not be required to  
21 track or maintain records of mail or to forward



1 packages, bulk mail, or pre-sorted mail; provided  
2 further that the program shall maintain a log of  
3 certified or registered mail or service of legal  
4 process received on behalf of a program participant;  
5 and

6 (3) Act as the agent of the program participant for  
7 purposes of service of all legal process in the  
8 State."

9 SECTION 4. Section 801G-7, Hawaii Revised Statutes, is  
10 amended to read as follows:

11 "[~~f~~] §801G-7 [~~+~~] **Appeal.** Within thirty days of the date of  
12 the notice of denial of an application or of certification  
13 cancellation, an applicant or program participant may submit a  
14 written appeal to the [~~department,~~] office of the lieutenant  
15 governor; provided that [~~the~~]:

16 (1) The appeal shall not be treated as a contested case as  
17 defined in chapter 91 [~~, and the~~];

18 (2) The appeal process shall not include a hearing; and  
19 [~~the department's~~]

20 (3) The office of the lieutenant governor's final  
21 determination shall not be subject to judicial review."



1 SECTION 5. Section 801G-13, Hawaii Revised Statutes, is  
2 amended to read as follows:

3 "[+]§801G-13[+] Rulemaking authority. The [~~attorney~~  
4 ~~general~~] office of the lieutenant governor shall adopt rules  
5 pursuant to chapter 91 as necessary to carry out the purposes of  
6 this chapter."

7 SECTION 6. Statutory material to be repealed is bracketed  
8 and stricken. New statutory material is underscored.

9 SECTION 7. This Act shall take effect on July 1, 2019.



**Report Title:**

Lieutenant Governor; Address Confidentiality

**Description:**

Changes the governmental entity responsible for the administration of the address confidentiality program from the Department of the Attorney General to the Office of the Lieutenant Governor. (HB1433 CD1)

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

