

Honolulu, Hawaii

MAR 20 2024' 2024

RE: S.B. No. 3123
S.D. 2
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-Second State Legislature
Regular Session of 2024
State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred S.B. No. 3123, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO ACCESS TO VITAL RECORDS FOR THE DEPARTMENT OF HAWAIIAN HOME LANDS,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Authorize the Department of Hawaiian Home Lands to access vital records for purposes of verifying native Hawaiian ancestry for beneficiary programs; and
- (2) Require the Department of Health and Department of Hawaiian Home Lands to enter into a memorandum of agreement to assure appropriate access and handling of confidential records and sealed records that have been unsealed pursuant to court order.

Your Committee received testimony in support of this measure from the Department of Health; Department of Human Services; Department of Hawaiian Home Lands; Office of Hawaiian Affairs; and one individual.



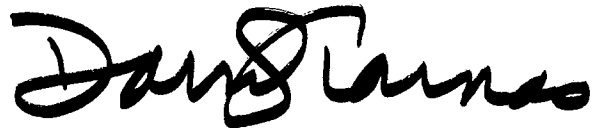
Your Committee finds that Hawaii is a "closed record" state, which means that persons or entities must demonstrate a direct and tangible interest in a vital record to have access to the record. Your Committee further finds that amending the existing law to allow access to the Department of Hawaiian Home Lands for certain purposes and under certain conditions, as proposed by this measure, will greatly reduce administrative barriers in vetting claims of native Hawaiian ancestry for purposes of participating in beneficiary programs while still protecting the privacy of vital records.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 3000, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3123, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3123, S.D. 2, H.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary &
Hawaiian Affairs,



DAVID A. TARNAS, Chair



Record of Votes of the Committee on Judiciary & Hawaiian Affairs

Bill/Resolution No.: SB3123, SD2	Committee Referral: JHA	Date: 3-12-24
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The committee is reconsidering its previous decision on the measure.

The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold
 Pass short form bill with HD to recommit for future public hearing (recommit)

JHA Members	Ayes	Ayes (WR)	Nays	Excused
1. TARNAS, David A. (C)	✓			
2. TAKAYAMA, Gregg (VC)	✓			
3. EVSLIN, Luke A.	✓			
4. GANADEN, Sonny	✓			
5. HOLT, Daniel	✓			
6. ICHIYAMA, Linda	✓			
7. ILAGAN, Greggor	✓			
8. KONG, Sam Satoru	✓			
9. MIYAKE, Tyson K.	✓			
10. SOUZA, Kanani	✓			
TOTAL (10)	10	—	—	—

The recommendation is: Adopted Not Adopted
If joint referral, _____ did not support recommendation.
committee acronym(s)

Vice Chair's or designee's signature: _____

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