

**ACT 258**

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**H.B. NO. 786**

**A Bill for an Act Relating to the Judiciary.**

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*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. Chapter 602, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

**“§602- Disposition of judiciary records.** Notwithstanding the provisions of section 94-3, the supreme court shall determine the care, custody, and disposition of all judiciary case, fiscal, and administrative records. A record of dispositional activity shall be maintained stating whether a record was retained by the judiciary, transferred to public archives, the University of Hawaii, the Hawaii Historical Society, or other agency, or destroyed. This record shall be kept on forms specified by the supreme court. The original copy of the record shall be filed in the public archives. One copy of the record shall be filed with the court in which the records originated, one copy with the office of the attorney general, and one copy with the comptroller.”

SECTION 2. §94-3, Hawaii Revised Statutes, is amended to read as follows:

**“§94-3 Disposal of government records generally.** Each public officer, except public officers of the judiciary, having the care and custody of any government records shall submit to the state comptroller a list of records for disposal, which shall include the name of the office, department, or bureau, the subject of the records for disposal and the inclusive dates of the records. The comptroller shall determine the disposition of the records; stating whether such records should be retained by the office, department, or bureau; be transferred to the public archives, the University of Hawaii, the Hawaiian Historical Society, or other agency; or be destroyed. The comptroller shall have full power of disposal of all records submitted for such purpose. The records of all records disposed of, including lists submitted by the public officers, and the action taken by the comptroller, shall be kept on proper forms, specified by the comptroller, one copy of which shall be filed in the office, department or bureau where the records originated, one copy shall be filed in the office of the attorney general, and the original shall be filed in the public archives.”

SECTION 3. New statutory material is underscored.<sup>1</sup>

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

(Approved June 5, 1984.)

**Note**

1. Edited pursuant to HRS §23G-16.5.