

ACT 77

H.B. NO. 785

A Bill for an Act Relating to Production of Records.

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

SECTION 1. Section 10H-3, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) There is established a five-member Native Hawaiian roll commission within the office of Hawaiian affairs for administrative purposes only. The Native Hawaiian roll commission shall be responsible for:

- (1) Preparing and maintaining a roll of qualified Native Hawaiians;
- (2) Certifying that the individuals on the roll of qualified Native Hawaiians meet the definition of qualified Native Hawaiians. For purposes of establishing the roll, a “qualified Native Hawaiian” means an individual [~~who~~] whom the commission determines has satisfied the following criteria and who makes a written statement certifying that the individual:

(A) Is:

- (i) An individual who is a descendant of the aboriginal peoples who, prior to 1778, occupied and exercised sovereignty in the Hawaiian islands, the area that now constitutes the State of Hawaii; [~~or~~]
- (ii) An individual who is one of the indigenous, native people of Hawaii and who was eligible in 1921 for the programs

- authorized by the Hawaiian Homes Commission Act, 1920, or a direct lineal descendant of that individual; or
- (iii) An individual who meets the ancestry requirements of Kamehameha Schools or of any Hawaiian registry program of the office of Hawaiian affairs;
 - (B) Has maintained a significant cultural, social, or civic connection to the Native Hawaiian community and wishes to participate in the organization of the Native Hawaiian governing entity; and
 - (C) Is eighteen years of age or older; ~~and~~
- (3) Receiving and maintaining documents that verify ancestry; cultural, social, or civic connection to the Native Hawaiian community; and age from individuals seeking to be included in the roll of qualified Native Hawaiians. Notwithstanding any other law to the contrary, these verification documents shall be ~~confidential~~; and
- (4) Notwithstanding any other law to the contrary, including in the roll of qualified Native Hawaiians all individuals already registered with the State as verified Hawaiians or Native Hawaiians through the office of Hawaiian affairs as demonstrated by the production of relevant office of Hawaiian affairs records, and extending to those individuals all rights and recognitions conferred upon other members of the roll.”

SECTION 2. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 3. This Act shall take effect on July 1, 2013.
(Approved May 21, 2013.)