
A BILL FOR AN ACT

RELATING TO INFORMATION PRACTICES.

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

1 SECTION 1. Section 92F-14, Hawaii Revised Statutes, is
2 amended by amending subsection (b) to read as follows:

3 "(b) The following are examples of information in which
4 the individual has a significant privacy interest:

5 (1) Information relating to medical, psychiatric, or
6 psychological history, diagnosis, condition,
7 treatment, or evaluation, other than directory
8 information while an individual is present at such
9 facility;

10 (2) Information identifiable as part of an investigation
11 into a possible violation of criminal law, except to
12 the extent that disclosure is necessary to prosecute
13 the violation or to continue the investigation;

14 (3) Information relating to eligibility for social
15 services or welfare benefits or to the determination
16 of benefit levels;



- 1 (4) Information in an agency's personnel file, or
2 applications, nominations, recommendations, or
3 proposals for public employment or appointment to a
4 governmental position, except:
- 5 (A) Information disclosed under section
6 92F-12(a)(14); and
- 7 (B) The following information related to employment
8 misconduct that results in an employee's
9 suspension or discharge:
- 10 (i) The name of the employee;
- 11 (ii) The nature of the employment related
12 misconduct;
- 13 (iii) The agency's summary of the allegations of
14 misconduct;
- 15 (iv) Findings of fact and conclusions of law; and
- 16 (v) The disciplinary action taken by the agency;
- 17 when the following has occurred: the highest non-
18 judicial grievance adjustment procedure timely invoked
19 by the employee or the employee's representative has
20 concluded; a written decision sustaining the
21 suspension or discharge has been issued after this
22 procedure; and thirty calendar days have elapsed



1 following the issuance of the decision; provided that
2 this subparagraph shall not apply to a county police
3 department officer except in a case [~~which~~] that
4 results in the discharge of the officer;

5 (5) Information relating to an individual's
6 nongovernmental employment history except as necessary
7 to demonstrate compliance with requirements for a
8 particular government position;

9 (6) Information describing an individual's finances,
10 income, assets, liabilities, net worth, bank balances,
11 financial history or activities, or creditworthiness;

12 (7) Information compiled as part of an inquiry into an
13 individual's fitness to be granted or to retain a
14 license, except:

15 (A) The record of any proceeding resulting in the
16 discipline of a licensee and the grounds for
17 discipline;

18 (B) Information on the current place of employment
19 and required insurance coverages of licensees;
20 and

21 (C) The record of complaints including all
22 dispositions; but in the case of persons licensed



1 under title 25, only the record of complaints
2 resolved against that person;

3 (8) Information comprising a personal recommendation or
4 evaluation; and

5 (9) Social security numbers."

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

8 SECTION 3. This Act shall take effect upon its approval
9 and shall be repealed on July 1, 2013.



Report Title:

Public Documents; Privacy

Description:

Provides that there is no significant privacy interest for the record of complaints including all dispositions compiled as part of an inquiry into an individual's fitness to be granted or to retain a license, but in the case of persons licensed under title 25, the provision only applies to the record of complaints resolved against that person. Effective upon its approval. Sunsets July 1, 2013. (HB1212 CD1)

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