

STAND. COM. REP. NO.

152

Honolulu, Hawaii

FEB 11 , 2021

RE: H.B. No. 125
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Labor & Tourism, to which was referred H.B. No. 125 entitled:

"A BILL FOR AN ACT RELATING TO THE UNIFORM EMPLOYEE AND STUDENT ONLINE PRIVACY PROTECTION ACT,"

begs leave to report as follows:

The purpose of this measure is to establish The Uniform Employee and Student Online Privacy Protection Act to adopt uniform laws on protecting the online accounts of employees, prospective employees, unpaid interns, applicants, students, and prospective students from employers and educational institutions.

Your Committee received testimony in support of this measure from the Department of Education, Hawai'i Civil Rights Commission, and Commission to Promote Uniform Legislation.

Your Committee finds that this measure will prevent employers and public and private educational institutions from coercing access to non-public information from personal online accounts of students and employees, who typically have less than equal bargaining power. This measure will establish a set of rules that will help employers, educational institutions, employees, students, technology service providers, practitioners, and judges to effectively apply, comply with, and enforce the law in a more consistent manner.

2021-1426 HB125 HD1 HSCR HMSO



Your Committee has amended this measure by:

- (1) Changing the effective date to December 25, 2040, 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 Labor & Tourism that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 125, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 125, H.D. 1, and be referred to your Committee on Higher Education & Technology.

Respectfully submitted on
behalf of the members of the
Committee on Labor & Tourism,



RICHARD H.K. ONISHI, Chair



