
A BILL FOR AN ACT

RELATING TO THE UNIFORM INFORMATION PRACTICES ACT.

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;

17 (4) Information in an agency's personnel file, or
18 applications, nominations, recommendations, or



1 proposals for public employment or appointment to a
2 governmental position, except:

3 (A) Information disclosed under section 92F-
4 12(a)(14); and

5 (B) The following information related to employment
6 misconduct that results in an employee's
7 suspension or discharge:

8 (i) The name of the employee;

9 (ii) The nature of the employment related
10 misconduct;

11 (iii) The agency's summary of the allegations of
12 misconduct;

13 (iv) Findings of fact and conclusions of law; and

14 (v) The disciplinary action taken by the agency;

15 when the following has occurred: the highest
16 nonjudicial grievance adjustment procedure timely
17 invoked by the employee or the employee's
18 representative has concluded; a written decision
19 sustaining the suspension or discharge has been issued
20 after this procedure; and thirty calendar days have
21 elapsed following the issuance of the decision or, for



1 decisions involving county police department officers,
2 ninety days have elapsed following the issuance of the
3 decision; provided that subparagraph (B) shall not
4 apply to a county police department officer except in
5 a case which results in the discharge of the officer;

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

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

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

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

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



- 1 (C) The record of complaints including all
- 2 dispositions;
- 3 (8) Information comprising a personal recommendation or
- 4 evaluation; [~~and~~]
- 5 (9) Social security numbers[-]; and
- 6 (10) Information that if disclosed would create a
- 7 substantial and demonstrable risk of physical harm to
- 8 an individual."

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

11 SECTION 3. This Act shall take effect upon its approval.



Report Title:

Judiciary Package; UIPA; Government Records

Description:

Broadens the individual's significant privacy interest under the UIPA to include records that if disclosed would create a substantial and demonstrable risk of physical harm to an individual. (HB287 CD1)

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