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# 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 92F-  
6 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; and

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,]~~



1 (8) Information comprising a personal recommendation or  
2 evaluation; and

3 (9) Social security numbers."

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 Statutory material to be repealed is bracketed  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

6 SECTION 3. This Act shall take effect on January 1, 2046.



**Report Title:**

Public Documents; Privacy

**Description:**

Deletes the exception of a record of complaints with respect to government information relating to an individual's fitness for a license, when balancing an unwarranted invasion of a person's privacy against the public disclosure of the record. Effective January 1, 2046. (HB1212 HD1)

