
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; 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 upon its approval
7 and shall be repealed on July 1, 2014.

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 on approval. Sunsets 7/1/2014. (SD1)