
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;

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 non-judicial grievance adjustment procedure

17 timely invoked by the employee or the employee's

18 representative has concluded; a written decision

19 sustaining the suspension or discharge has been

20 issued after this procedure; and thirty calendar

21 days have elapsed following the issuance of the

22 decision; provided that this subparagraph shall



1 not apply to a county police department officer
 2 except in a case [which] that results in the
 3 discharge of the officer;

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

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

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

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

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

20 ~~(C) The record of complaints including all~~
 21 ~~dispositions;]~~



H.B. NO. 2009

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

INTRODUCED BY: *Frank W. Choy*

JAN 18 2012



H.B. NO. 2003

Report Title:

Freedom of Information; Public Documents; Privacy

Description:

Removes records of complaints from the exceptions to the types of information that are not subject to disclosure as public documents.

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