

JAN 18 2013

---

---

# A BILL FOR AN ACT

RELATING TO INFORMATION PROTECTION.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

- 1           SECTION 1. Chapter 487J, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:
- 4           "§487J- Identity theft prevention policy and procedure;  
5 requirements; penalty. (a) By January 1, 2015, every business  
6 that maintains personal information shall implement a  
7 comprehensive, written policy and procedure to prevent identity  
8 theft. The policy and procedure shall include administrative,  
9 technical, and physical safeguards for the protection of  
10 personal information. In addition, the policy and procedure  
11 shall be designed to:
- 12           (1) Ensure the security and confidentiality of personal  
13 information and medical, educational, and financial  
14 records;
- 15           (2) Protect against any anticipated threats or hazards to  
16 the security or integrity of personal information and  
17 medical, educational, and financial records; and
- 18           (3) Prevent the occurrence of any security breach.





1 SECTION 4. Section 487J-5, Hawaii Revised Statutes, is  
2 amended to read as follows:

3 "[+]§487J-5[+] **Policy and oversight responsibility.** (a)

4 By September 1, 2009, each government agency shall designate an  
5 agency employee and by January 1, 2015, each business shall  
6 designate an employee of the business to have policy and  
7 oversight responsibilities for the protection of personal  
8 information.

9 (b) The designated agency employee or business employee  
10 shall:

11 (1) Ensure and coordinate agency or business compliance  
12 with this chapter, chapter 487N, and chapter 487R;

13 (2) Assist individuals who have identity theft and other  
14 privacy-related concerns;

15 (3) Provide education and information to [~~agency~~] the  
16 agency's or business' staff on privacy and security  
17 issues;

18 (4) Coordinate with state, county, and federal law  
19 enforcement agencies on identity theft investigations;  
20 and




# S.B. NO. 325

1 (5) Recommend policies and practices to protect individual  
2 privacy rights relating to the individual's personal  
3 information."

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 Statutory material to be repealed is bracketed  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

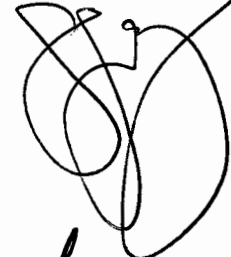
6 SECTION 6. This Act shall take effect upon its approval.

7

INTRODUCED BY: 

Suzanne Chun Oakland





Malena

Randy de Sel

Michelle Kadani



# S.B. NO. 325

**Report Title:**

Identity Theft; Personal Information

**Description:**

Requires businesses to implement a comprehensive, written policy and procedure to prevent identity theft and to train all employees in the implementation of the policy and procedure to prevent identity theft. Requires businesses to designate an employee of the business to have policy and oversight responsibilities for protection of personal information. Provides additional monetary penalty.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

