
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
18 nonjudicial grievance adjustment procedure timely
19 invoked by the employee or the employee's
20 representative has concluded; a written decision
21 sustaining the suspension or discharge has been issued



- 1 after this procedure; and thirty calendar days have
2 elapsed following the issuance of the decision or, for
3 decisions involving county police department officers,
4 ninety days have elapsed following the issuance of the
5 decision; provided that subparagraph (B) shall not
6 apply to a county police department officer except in
7 a case which results in the discharge of the officer;
- 8 (5) Information relating to an individual's
9 nongovernmental employment history except as necessary
10 to demonstrate compliance with requirements for a
11 particular government position;
- 12 (6) Information describing an individual's finances,
13 income, assets, liabilities, net worth, bank balances,
14 financial history or activities, or creditworthiness;
- 15 (7) Information compiled as part of an inquiry into an
16 individual's fitness to be granted or to retain a
17 license, except:
- 18 (A) The record of any proceeding resulting in the
19 discipline of a licensee and the grounds for
20 discipline; and



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

12 SECTION 2. Statutory material to be repealed is bracketed
 13 and stricken. New statutory material is underscored.

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

15
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JAN 14 2016

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Report Title:

Public Documents; Records of Complaints; Privacy

Description:

Removes a record of complaint as a type of information that is subject to disclosure as a public document.

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