

STAND. COM. REP. NO.

701

Honolulu, Hawaii

February 17, 2017

RE: H.B. No. 814
H.D. 1

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Ninth State Legislature
Regular Session of 2017
State of Hawaii

Sir:

Your Committee on Labor & Public Employment, to which was referred H.B. No. 814 entitled:

"A BILL FOR AN ACT RELATING TO THE UNIFORM EMPLOYEE AND STUDENT ONLINE PRIVACY PROTECTION ACT,"

begs leave to report as follows:

The purpose of this measure is to adopt the uniform laws on protecting the online accounts of employees and students from employers and educational institutions, respectively.

The Commission to Promote Uniform Legislation, University of Hawaii at Manoa Graduate Student Organization, and two individuals testified in support of this measure. The Department of the Attorney General supported the intent of this measure. The University of Hawaii and American Civil Liberties Union of Hawaii provided comments.

Your Committee has amended this measure by:

- (1) Clarifying that the Attorney General may bring a civil action in district court against an employer or educational institution for a violation of this chapter;
- (2) Changing its effective date to July 1, 2050, to facilitate further discussion; and

HB814 HD1 HSCR LAB HMS 2017-2411



701

- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Your Committee notes the concerns raised by the American Civil Liberties Union of Hawaii and its preference for the Personal Online Account Privacy Act (POAPA). POAPA protects tenants and all students, regardless of education level, and enhances the requirements and protections for allegations of misconduct. Should the Committee on Judiciary deliberate on this measure further, your Committee respectfully requests that it consider these protections provided by POAPA.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 814, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 814, H.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Labor & Public
Employment,


AARON LING JOHANSON, Chair



