

STAND. COM. REP. NO.

1854

Honolulu, Hawaii

APR 04 2019

RE: H.B. No. 6
H.D. 3
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirtieth State Legislature
Regular Session of 2019
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 6, H.D. 3, S.D. 1, 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 and intent of this measure is to establish the Uniform Employee and Student Online Privacy Protection Act that adopts uniform laws on protecting the online accounts of employees, prospective employees, unpaid interns, applicants, students, and prospective students from employers and educational institutions.

Your Committee received testimony in support of this measure from the Department of Education, Commission to Promote Uniform Legislature, Hawai'i Civil Rights Commission, and University of Hawai'i System. Your Committee received comments on this measure from the American Civil Liberties Union of Hawaii.

Your Committee finds that privacy is a growing concern as social media use rises and employers increasingly ask current and prospective employees to grant the employer access to social media accounts. Likewise, many educational institutions seek to examine the social media presence of current and prospective students.



Your Committee further finds that employers and educational institutions have the power to coerce access to non-public information of prospective and current employees and students' personal online accounts. Allowing access to non-public online information to those who have leverage over a person's education and livelihood may lead to discrimination, self-censorship, and the chilling of free expression. This measure protects employee and student online account information from the demands of employers and educational institutions while ensuring that employers and educational institutions are able to address non-compliance with laws and regulations that directly impact them.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 6, H.D. 3, S.D. 1, and recommends that it pass Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,

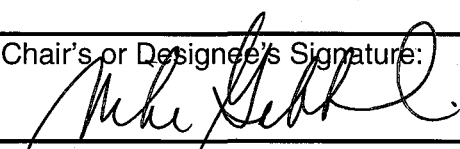


KARL RHOADS, Chair



The Senate
Thirtieth Legislature
State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 6 HD3 SD1	LCA/HRE, JOC	3/29/19		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input checked="" type="checkbox"/> Pass, unamended 2312	<input type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310		
<input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	✓			
WAKAI, Glenn (VC)				✓
GABBARD, Mike	✓			
KIM, Donna Mercado				✓
FEVELLA, Kurt	✓			
TOTAL	3	-	-	2
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

*Only one measure per Record of Votes