STAND. COM. REP. NO. **152**

Honolulu, Hawaii

FEB 11 , 2021

RE: H.B. No. 125 H.D. 1

Honorable Scott K. Saiki Speaker, House of Representatives Thirty-First State Legislature Regular Session of 2021 State of Hawaii

Sir:

Your Committee on Labor & Tourism, to which was referred H.B. No. 125 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 establish The Uniform Employee and Student Online Privacy Protection Act to adopt 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, Hawai'i Civil Rights Commission, and Commission to Promote Uniform Legislation.

Your Committee finds that this measure will prevent employers and public and private educational institutions from coercing access to non-public information from personal online accounts of students and employees, who typically have less than equal bargaining power. This measure will establish a set of rules that will help employers, educational institutions, employees, students, technology service providers, practitioners, and judges to effectively apply, comply with, and enforce the law in a more consistent manner.



Your Committee has amended this measure by:

- (1) Changing the effective date to December 25, 2040, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Labor & Tourism that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 125, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 125, H.D. 1, and be referred to your Committee on Higher Education & Technology.

Respectfully submitted on behalf of the members of the Committee on Labor & Tourism,

RICHARD H.K. ONISHI, Chair

State of Hawaii House of Representatives The Thirty-first Legislature



Record of Votes of the Committee on Labor & Tourism

Bill/Resolution No.:	Committee Referral:	Date	:	
HB125	LAT, HET, C	.PC	2-09-21	
θ The committee is reconsidering its previous decision on the measure.				
The recommendation is to: θ Pass, unamended (as is) θ Pass, with amendments (HD) θ Hold θ Pass short form bill with HD to recommit for future public hearing (recommit)				
LAT Members	Ayes	Ayes (WR)	Nays	Excused
1. ONISHI, Richard H.K. (C)	V			
2. SAYAMA, Jackson D. (VC)	V			
3. BELATTI, Della Au	V			\$***
4. HOLT, Daniel	V	a company		
5. KOBAYASHI, Dale T.	V			
6. QUINLAN, Sean				
		Lauralin, Baro, veri ili li buni. 1		
7. TAKAYAMA, Gregg	V			
e ovimoto val				
8. OKIMOTO, Val	V			
TOTAL (8)	7	0	0	
The recommendation is: ## Adopted ## Not Adopted If joint referral, did not support recommendation.				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				