
A BILL FOR AN ACT

RELATING TO A STATEWIDE DATA HUB.

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

1 SECTION 1. Section 201-13.8, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "**§201-13.8 Data or information collection[-]; statewide**
4 **data hub.** (a) The director[-] of business, economic
5 development, and tourism, in consultation with all affected
6 governmental agencies, shall assess the need for statistics and
7 other information as to the number, characteristics, needs, and
8 movement of people into, out of, or within Hawaii, including
9 residents, migrants, and visitors, and such other information as
10 the director may deem necessary, for the purposes of sound
11 economic research and analysis. The director of business,
12 economic development, and tourism shall be responsible for
13 collecting, analyzing, and disseminating such information to
14 governmental agencies on a timely basis, and is authorized to
15 use any appropriate method to collect the information, including
16 but not limited to conducting an entry and exit census or survey
17 of all individuals entering, leaving, or living within the



1 State, and obtaining data or information acquired by other
2 agencies, both public and private. All governmental agencies
3 shall cooperate with and assist the director to implement this
4 section.

5 (b) To the extent that it is identifiable to an
6 individual, information obtained by the department or its agents
7 through surveys, questionnaires, or other information gathering
8 efforts shall be held confidential and not disclosed or opened
9 to public inspection, except that such information may be shared
10 with other [~~government~~] governmental agencies as provided in
11 section 92F-19.

12 (c) Public disclosure of information gathered by the
13 department could place businesses at a competitive disadvantage.
14 Consequently, where disclosure would result in the impairment of
15 the department's ability to obtain such information and the
16 frustration of a legitimate government function, the department
17 may withhold from public disclosure competitively sensitive
18 information including:

- 19 (1) Completed survey and questionnaire forms;
20 (2) Coding sheets; and
21 (3) Database records of such information.



1 (d) The department shall establish and maintain a
2 statewide data hub to collect employer and employee data. The
3 department shall have the authority to determine the type of
4 employer and employee data to collect, the functions of the
5 statewide data hub, and access and document retention policies
6 for the data.

7 The department may collect and analyze information and data
8 from employers regarding the wages, hours, and other conditions
9 and practices of employment in the State. Every employer
10 subject to chapter 371 shall make, keep, and preserve records of
11 the persons employed by the employer and of the wages, hours,
12 and other conditions and practices of employment, maintained by
13 the employer, and preserve the records for five years. In
14 addition, every employer, regardless of whether the employer
15 uses a professional employer organization or a third-party
16 administrator, shall keep a record of the former physical
17 addresses and current physical address of the employer and the
18 North American Industry Classification System code applicable to
19 the employer.

20 For the purpose of collection and analysis, the department
21 shall have access to and the right to copy from the records any



1 matter or thing pertinent to this subsection, and every employer
2 shall furnish to the department on demand a copy under oath of
3 the material portion of the records as the department requires
4 and, if the department so requires, upon forms prescribed or
5 approved by the department.

6 The department shall work with the chief information
7 officer to ensure to the maximum extent possible that the
8 integrity and security of the information is maintained and to
9 comply with any applicable requirements of chapter 27, part VII,
10 and related rules.

11 [~~d~~] (e) The director may adopt necessary rules pursuant
12 to chapter 91, to administer this section."

13 SECTION 2. There is appropriated out of the general
14 revenues of the State of Hawaii the sum of \$ or so
15 much thereof as may be necessary for fiscal year 2023-2024 and
16 the same sum or so much thereof as may be necessary for fiscal
17 year 2024-2025 to design, install, populate, and manage the
18 statewide data hub.

19 The sums appropriated shall be expended by the department
20 of business, economic development, and tourism for the purposes
21 of this Act.



H.B. NO. 1379

1 SECTION 3. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 4. This Act shall take effect upon its approval;
4 provided that section 2 shall take effect on July 1, 2023.

5

INTRODUCED BY: _____

A handwritten signature in black ink, appearing to be "R. J. ...", written over a horizontal line.

JAN 25 2023



H.B. NO. 1379

Report Title:

Statewide Data Hub; Employers; Employees; DBEDT; Appropriation

Description:

Requires the department of business, economic development, and tourism to establish and maintain a statewide data hub to collect employer and employee data. Authorizes the department of business, economic development, and tourism to determine the type of employer and employee data to collect, the functions of the statewide data hub, and access and document retention policies for the data. Appropriates funds.

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