

STAND. COM. REP. NO. 610

Honolulu, Hawaii

March 5, 2015

RE: H.B. No. 287
H.D. 1

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Eighth State Legislature
Regular Session of 2015
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 287 entitled:

"A BILL FOR AN ACT RELATING TO THE UNIFORM INFORMATION PRACTICES ACT,"

begs leave to report as follows:

The purpose of this measure is to broaden the government records exception under the Uniform Information Practices Act to include records whose disclosure may be reasonably likely to result in a substantial and demonstrable risk of:

- (1) Physical harm to an individual; or
- (2) Harm, embarrassment, inconvenience, or unfairness to an individual caused by the unauthorized use or disclosure of the individual's personally identifiable information.

The Judiciary and Honolulu Police Department testified in support of this bill. The Office of Information Practices, American Civil Liberties Union of Hawaii, Civil Beat Law Center for the Public Interest, Common Cause Hawaii, Hawaii Chapter of the Society of Professional Journalists, League of Women Voters of Hawaii, and two concerned individuals testified in opposition to this bill. Grassroot Institute of Hawaii provided comments.

HB287 HD1 HSCR JUD HMS 2015-1566-1



Your Committee has amended this measure to:

- (1) Limit this government records exception to records which are reasonably likely to result in a substantial and demonstrable risk of physical harm to an individual; and
- (2) Move this exception from section 92F-13, Hawaii Revised Statutes, regarding exceptions to the general rule of government records, to section 92F-14, Hawaii Revised Statutes, regarding an individual's significant privacy interest.

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. 287, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 287, H.D. 1, and be placed on the calendar for Third Reading.

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



KARL RHOADS, Chair



