
A BILL FOR AN ACT

RELATING TO THE UNIFORM INFORMATION PRACTICES ACT.

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

1 SECTION 1. Section 92F-14, Hawaii Revised Statutes, is
2 amended by amending subsection (b) to read as follows:

3 "(b) The following are examples of information in which
4 the individual has a significant privacy interest:

5 (1) Information relating to medical, psychiatric, or
6 psychological history, diagnosis, condition,
7 treatment, or evaluation, other than directory
8 information while an individual is present at such
9 facility;

10 (2) Information identifiable as part of an investigation
11 into a possible violation of criminal law, except to
12 the extent that disclosure is necessary to prosecute
13 the violation or to continue the investigation;

14 (3) Information relating to eligibility for social
15 services or welfare benefits or to the determination
16 of benefit levels;

17 (4) Information in an agency's personnel file, or
18 applications, nominations, recommendations, or



1 proposals for public employment or appointment to a
2 governmental position, except:
3 (A) Information disclosed under section 92F-
4 12(a)(14); and
5 (B) The following information related to employment
6 misconduct that results in an employee's
7 suspension or discharge:
8 (i) The name of the employee;
9 (ii) The nature of the employment related
10 misconduct;
11 (iii) The agency's summary of the allegations of
12 misconduct;
13 (iv) Findings of fact and conclusions of law; and
14 (v) The disciplinary action taken by the agency;
15 when the following has occurred: the highest
16 nonjudicial grievance adjustment procedure timely
17 invoked by the employee or the employee's
18 representative has concluded; a written decision
19 sustaining the suspension or discharge has been issued
20 after this procedure; and thirty calendar days have
21 elapsed following the issuance of the decision or, for



1 decisions involving county police department officers,
2 ninety days have elapsed following the issuance of the
3 decision; provided that subparagraph (B) shall not
4 apply to a county police department officer except in
5 a case which results in the discharge of the officer;

6 (5) Information relating to an individual's
7 nongovernmental employment history except as necessary
8 to demonstrate compliance with requirements for a
9 particular government position;

10 (6) Information describing an individual's finances,
11 income, assets, liabilities, net worth, bank balances,
12 financial history or activities, or creditworthiness;

13 (7) Information compiled as part of an inquiry into an
14 individual's fitness to be granted or to retain a
15 license, except:

16 (A) The record of any proceeding resulting in the
17 discipline of a licensee and the grounds for
18 discipline;

19 (B) Information on the current place of employment
20 and required insurance coverages of licensees;
21 and



- 1 (C) The record of complaints including all
- 2 dispositions;
- 3 (8) Information comprising a personal recommendation or
- 4 evaluation; [~~and~~]
- 5 (9) Social security numbers [-]; and
- 6 (10) Information that if disclosed would create a
- 7 substantial and demonstrable risk of physical harm to
- 8 an individual."

9 SECTION 2. Statutory material to be repealed is bracketed
10 and stricken. New statutory material is underscored.

11 SECTION 3. This Act shall take effect on January 7, 2059.

12



Report Title:

Judiciary Package; UIPA; Government Records

Description:

Broadens the individual's significant privacy interest under the UIPA to include records that if disclosed would create a substantial and demonstrable risk of physical harm to an individual. Effective 01/07/2059. (SD1)

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