

THE SENATE  
SEVENTEENTH LEGISLATURE, 1993  
STATE OF HAWAII

S.B. NO.

1363  
S.D. 1

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## A BILL FOR AN ACT

RELATING TO THE UNIFORM INFORMATION PRACTICES ACT (MODIFIED).

**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 the  
4 individual has a significant privacy interest:

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

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

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

16       (4) Information in an agency's personnel file, or  
17       applications, nominations, recommendations, or  
18       proposals for public employment or appointment to a  
19       governmental position, except [information relating to

1 the status of any formal charges against the employee  
2 and disciplinary action taken or information disclosed  
3 under section 92F-12(a)(14); ]:

4 (A) Information disclosed under section 92F-12(a)(14);  
5 and

6 (B) For employment-related misconduct resulting in an  
7 employee's suspension or discharge, the following  
8 information shall be disclosed thirty calendar  
9 days after a written decision sustaining the  
10 suspension or discharge is rendered at the highest  
11 level of non-judicial grievance procedure timely  
12 invoked by the employee or the employee's  
13 collective bargaining agent: the name of the  
14 employee; the name of the complainant; the nature  
15 of the employment-related misconduct; the agency's  
16 summary of the allegations of misconduct; findings  
17 of fact and conclusions of law; and the  
18 disciplinary action taken by the agency against  
19 the employee; provided that this subparagraph  
20 shall not apply to police officers;

21 (5) Information relating to an individual's nongovernmental  
22 employment history except as necessary to demonstrate

- 1 compliance with requirements for a particular  
2 government position;
- 3 (6) Information describing an individual's finances,  
4 income, assets, liabilities, net worth, bank balances,  
5 financial history or activities, or credit worthiness;
- 6 (7) Information compiled as part of an inquiry into an  
7 individual's fitness to be granted or to retain a  
8 license, except:
- 9 (A) The record of any proceeding resulting in the  
10 discipline of a licensee and the grounds for  
11 discipline;
- 12 (B) Information on the current place of employment and  
13 required insurance coverages of licensees; and
- 14 (C) The record of complaints including all  
15 dispositions; and
- 16 (8) Information comprising a personal recommendation or  
17 evaluation."

18 SECTION 2. Statutory material to be deleted is bracketed.  
19 New statutory material is underscored.

20 SECTION 3. This Act shall take effect upon its approval.