

THE SENATE
SEVENTEENTH LEGISLATURE, 1993
STATE OF HAWAII

S.B. NO.

1363
S.D. 2

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 nature of the employment-related
15 misconduct; the agency's summary of the
16 allegations of misconduct; findings of fact and
17 conclusions of law; and the disciplinary action
18 taken by the agency against the employee; provided
19 that this subparagraph shall not apply to police
20 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.