

ORIGINAL

S.B. NO. 1363

THE SENATE  
SEVENTEENTH LEGISLATURE, 1993  
STATE OF HAWAII

JAN 27 1993

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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

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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) Employment-related misconduct resulting in an  
7 employee's suspension or discharge. However,  
8 after 100 days following the written decision of  
9 the highest non-judicial grievance adjustment  
10 procedure timely invoked by the employee or his  
11 collective bargaining agent, and if suspension or  
12 discharge is sustained, the following information  
13 shall be disclosed:

14 (i) The name of the employee;

15 (ii) The name of the complainant;

16 (iii) The nature of the employment-related  
17 misconduct;

18 (iv) The agency's summary of the allegations of  
19 misconduct, findings of fact, or conclusions  
20 of law, if any, as sustained; and

21 (v) The disciplinary action taken by the agency  
22 against the employee;

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

20 SECTION 2. Statutory material to be deleted is bracketed.  
21 New statutory material is underscored.

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

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INTRODUCED BY:

