

STAND. COM. REP. NO. 2977

Honolulu, Hawaii

FEB 27 2020

RE: S.B. No. 2010
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirtieth State Legislature
Regular Session of 2020
State of Hawaii

Sir:

Your Committees on Commerce, Consumer Protection, and Health and Judiciary, to which was referred S.B. No. 2010 entitled:

"A BILL FOR AN ACT RELATING TO THE UNIFORM EMPLOYEE AND STUDENT ONLINE PRIVACY PROTECTION ACT,"

beg leave to report as follows:

The purpose and intent of this measure is to establish the Uniform Employee and Student Online Privacy Protection Act that adopts uniform laws on protecting the online accounts of employees, prospective employees, unpaid interns, applicants, students, and prospective students from employers and educational institutions.

Your Committees received testimony in support of this measure from the Department of Education, Hawai'i Civil Rights Commission, Commission to Promote Uniform Legislation, LGBT Caucus of the Democratic Party of Hawaii, and Pride at Work - Hawaii. Your Committees received comments on this measure from the American Civil Liberties Union of Hawai'i.

Your Committees find that, ordinarily, individuals decide for themselves who will have access to information that is not otherwise publicly available in their social media profiles and other online accounts. Employers and educational institutions, however, may have the power to coerce access to non-public information of students' and employees' personal online accounts.



In recent years, there have been several reported incidents in which employers and schools have demanded, and received, such access. This measure was developed by the Uniform Law Commission and stakeholders to prevent employers and public and private educational institutions from coercing access to information from employees and students who will normally have less than equal bargaining power. This measure also establishes a set of rules to help employers, educational institutions, employees, students, technology service providers, and others to effectively apply, comply with, and enforce the law in a more consistent manner.

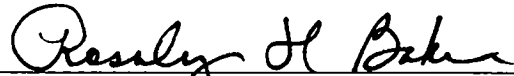
Your Committees have amended this measure by making a technical, nonsubstantive amendment for purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Commerce, Consumer Protection, and Health and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2010, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 2010, S.D. 1.

Respectfully submitted on
behalf of the members of the
Committees on Commerce,
Consumer Protection, and Health
and Judiciary,



KARL RHOADS, Chair

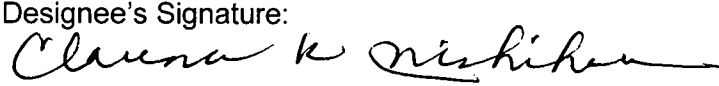


ROSALYN H. BAKER, Chair



The Senate
Thirtieth Legislature
State of Hawai'i

Record of Votes
Committee on Commerce, Consumer Protection, and Health
CPH

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|--|--|-------------------------|-----|----------|
| Bill / Resolution No.:* SB 2010 | Committee Referral: HRE, CPH / JDC | Date: 2/20/20 | | |
| <input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____ | | | | |
| The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313 | | | | |
| Members | Aye | Aye (WR) | Nay | Excused |
| BAKER, Rosalyn H. (C) | X | | | |
| CHANG, Stanley (VC) | | | | X |
| NISHIHARA, Clarence K. | X | | | |
| RUDERMAN, Russell E. | | | | X |
| THIELEN, Laura H. | | | | X |
| WAKAI, Glenn | X | | | |
| FEVELLA, Kurt | X | | | |
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| TOTAL | 4 | | | 3 |
| Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted | | | | |
| Chair's or Designee's Signature:  | | | | |
| Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy | | | | |

*Only one measure per Record of Votes

The Senate
Thirtieth Legislature
State of Hawai'i

**Record of Votes
Committee on Judiciary
JDC**

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|--|--|---------------------------|------------|----------------|
| Bill / Resolution No.:* SB 2010 | Committee Referral: HRE, CPH/JDC | Date: 2/24/2020 | | |
| <input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____ | | | | |
| The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313 | | | | |
| Members | Aye | Aye (WR) | Nay | Excused |
| RHOADS, Karl (C) | / | | | |
| KEOHOKALOLE, Jarrett (VC) | / | | | |
| GABBARD, Mike | | | | / |
| KIM, Donna Mercado | | | | / |
| FEVELLA, Kurt | / | | | |
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| TOTAL | 3 | | | 2 |
| Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted | | | | |
| Chair's or Designee's Signature: | | | | |
| Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy | | | | |

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