STAND. COM. REP. NO. 847

Honolulu, Hawaii , 2021 MAR 05 H.B. No. 125 RE: H.D. 2

Honorable Scott K. Saiki Speaker, House of Representatives Thirty-First State Legislature Regular Session of 2021 State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred H.B. No. 125, H.D. 2, entitled:

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

begs leave to report as follows:

The purpose of this measure is to establish The Uniform Employee and Student Online Privacy Protection Act, a uniform law that protects the online accounts of employees, prospective employees, job applicants, unpaid interns, independent contractors, students, and prospective students, from employers and educational institutions.

Your Committee received testimony in support of this measure from the Department of Education, Hawai'i Civil Rights Commission, and Commission to Promote Uniform Legislation.

Your Committee finds that online accounts, including social media accounts, electronic mail, and trading and banking accounts, contain sensitive personal information. Your Committee further finds that, where online accounts are not associated with, managed by, or in any other manner connected with an individual's educational institution or employer, the educational institution or employer should be prevented from using its authority to leverage access to these online accounts. Your Committee finds,

2021-2047 HB125 HD2 HSCR HMSO

STAND. COM. REP. NO. 847 Page 2

however, that there are exceptional situations in which online accounts may have information to further compelling interests. This measure provides necessary protections to individual's private information while allowing for very narrow and justified exceptions.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 125, H.D. 2, and recommends that it pass Third Reading.

> Respectfully submitted on behalf of the members of the Committee on Consumer Protection & Commerce,

JOHANSON, Chair

2021-2047 HB125 HD2 HSCR HMSO

State of Hawaii House of Representatives The Thirty-first Legislature HSCR 847

Record of Votes of the Committee on Consumer Protection & Commerce

Bill/Resolution No.: HB125HD2	Committee Referral: LAT, HET, CPC		Date: 2 25 21		
The committee is reconsidering its pre	evious decision on the measure.				
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit)					
CPC Members	Ayes	Ayes (WR)	Nays	Excused	
1. JOHANSON, Aaron Ling (C)	\sim				
2. KITAGAWA, Lisa (VC)					
3. AQUINO, Henry J.C.					
4 HAD Change E					
4. HAR, Sharon E.					
5. HASHEM, Mark J.			e en elle substation de la companya de la companya La companya de la comp		
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6. KONG, Sam Satoru	nining and a start of the Barbara Start Start and a start of the start	an an an an an an <u>an dean an Anna 11</u> 28 	antatanatista ana ana ara ara ara ara ara ara ara ar		
7. MIZUNO, John M.					
8. MORIKAWA, Dee	V				
9. ONISHI, Richard H.K.			and a second and a s		
		a da anti anti anti anti anti anti anti ant			
10. TARNAS, David A.			an an tha an tha		
11. MATSUMOTO, Lauren					
	v				
TOTAL (11)	10	0	0	1	
The recommendation is: Adopted D Not Adopted					
If joint referral, did not support recommendation. committee acronym(s)					
Vice Chair's or designee's signature: Augusture					
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO					