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# A BILL FOR AN ACT

RELATING TO A STATEWIDE DATA HUB.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1           SECTION 1.   Section 201-13.8, Hawaii Revised Statutes, is  
2 amended to read as follows:

3           "§201-13.8 Data or information collection[-]; statewide  
4 data hub. (a) The director[~~7~~] of business, economic  
5 development, and tourism, in consultation with all affected  
6 governmental agencies, shall assess the need for statistics and  
7 other information as to the number, characteristics, needs, and  
8 movement of people into, out of, or within Hawaii, including  
9 residents, migrants, and visitors, and [~~such~~] the other  
10 information as the director may deem necessary, for the purposes  
11 of sound economic research and analysis. The director of  
12 business, economic development, and tourism shall be responsible  
13 for collecting, analyzing, and disseminating [~~such~~] the  
14 information to governmental agencies on a timely basis, and is  
15 authorized to use any appropriate method to collect the  
16 information, including but not limited to conducting an entry  
17 and exit census or survey of all individuals entering, leaving,



1 or living within the State, and obtaining data or information  
2 acquired by other agencies, both public and private. All  
3 governmental agencies shall cooperate with and assist the  
4 director to implement this section.

5 (b) To the extent that it is identifiable to an  
6 individual, information obtained by the department or its agents  
7 through surveys, questionnaires, or other information gathering  
8 efforts shall be held confidential and not disclosed or opened  
9 to public inspection, except that such information may be shared  
10 with other [~~government~~] governmental agencies as provided in  
11 section 92F-19.

12 (c) Public disclosure of information gathered by the  
13 department could place businesses at a competitive disadvantage.  
14 Consequently, where disclosure would result in the impairment of  
15 the department's ability to obtain such information and the  
16 frustration of a legitimate government function, the department  
17 may withhold from public disclosure competitively sensitive  
18 information including:

- 19 (1) Completed survey and questionnaire forms;
- 20 (2) Coding sheets; and
- 21 (3) Database records of such information.



1        (d) The department shall establish and maintain a  
2        statewide data hub to collect employer and employee data. The  
3        department shall have the authority to determine the functions  
4        of the statewide data hub and access and document retention  
5        policies for the data.

6        The department may collect and analyze information and data  
7        from employers regarding the wages, hours, and other conditions  
8        and practices of employment in the State that is available to  
9        the department of labor and industrial relations pursuant to  
10       section 371-11. Every employer subject to chapter 371 shall  
11       make, keep, and preserve records of the persons employed by the  
12       employer and of the wages, hours, and other conditions and  
13       practices of employment, maintained by the employer, and  
14       preserve the records for five years. In addition, every  
15       employer, regardless of whether the employer uses a professional  
16       employer organization or a third-party administrator, shall keep  
17       a record of the former physical addresses and current physical  
18       address of the employer and the North American Industry  
19       Classification System code applicable to the employer.

20       For the purpose of collection and analysis, the department  
21       shall have access to and the right to copy from the records any



1 matter or thing pertinent to this subsection, and every employer  
2 shall furnish to the department on demand a copy under oath of  
3 the material portion of the records as the department requires  
4 and, if the department so requires, upon forms prescribed or  
5 approved by the department.

6 The department shall work with the chief information  
7 officer to ensure to the maximum extent possible that the  
8 integrity and security of the information is maintained and to  
9 comply with any applicable requirements of chapter 27, part VII,  
10 and related rules.

11 ~~[(d)]~~ (e) The director may adopt necessary rules pursuant  
12 to chapter 91, to administer this section."

13 SECTION 2. There is appropriated out of the general  
14 revenues of the State of Hawaii the sum of \$ or so  
15 much thereof as may be necessary for fiscal year 2022-2023 for  
16 the purpose of designing, installing, populating, and managing  
17 the statewide data hub.

18 The sum appropriated shall be expended by the department of  
19 business, economic development, and tourism for the purposes of  
20 this Act.



1           SECTION 3. Statutory material to be repealed is bracketed  
2 and stricken. New statutory material is underscored.

3           SECTION 4. This Act shall take effect on December 25,  
4 2040; provided that section 2 shall take effect on July 1, 2022.



**Report Title:**

Statewide Data Hub; Employers; Employees; DBEDT; Appropriation

**Description:**

Requires the Department of Business, Economic Development, and Tourism to establish and maintain a statewide data hub to collect employer and employee data. Authorizes the Department of Business, Economic Development, and Tourism to determine the functions of the statewide data hub and access and document retention policies for the data. Appropriates funds. Effective 12/25/2040. (SD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

