

JOSH GREEN, M.D.
GOVERNOR

SYLVIA LUKE
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JADE T. BUTAY
DIRECTOR

WILLIAM G. KUNSTMAN
DEPUTY DIRECTOR

STATE OF HAWAII
KA MOKU'ĀINA O HAWAII
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS
KA 'OIHANA PONO LIMAHANA

February 6, 2026

To: The Honorable Greggor Ilagan, Chair,
The Honorable Ikaika Hussey, Vice Chair, and
Members of the House Committee on Economic Development and
Technology

Date: Friday, February 6, 2026

Time: 8:30 a.m.

Place: Conference Room 423, State Capitol

From: Jade T. Butay, Director
Department of Labor and Industrial Relations (DLIR)

Re: H.B. 2499 RELATING TO DEMOGRAPHIC DATA

I. OVERVIEW OF PROPOSED LEGISLATION

HB2499 proposes to require the Office of Enterprise Technology Services (ETS) to coordinate the development and maintenance of statewide standards for the collection, management, and reporting of race and ethnicity demographic data by governmental agencies and requires governmental agencies to report data to ETS.

The DLIR **comments** on this measure and **defers to ETS** on matters of administration and implementation.

II. CURRENT LAW

Chapter 27, Hawaii Revised Statutes, outlines the State Functions and Responsibilities.

III. COMMENTS ON THE SENATE BILL

The DLIR's unemployment insurance (UI) program is a federally-funded program subject to strict federal conformity, privacy, and the Methods of Administration requirements. While the UI program presents demographic questions to individuals, responses are voluntary, include a decline to answer option, and may not be used to determine eligibility, entitlement, or the timeliness of benefit payments. Conditioning UI benefits on the disclosure of demographic information would be contrary to federal law and regulations.

Federal guidance further limits the purpose for which demographic data may be

collected in the UI program. Demographic data is collected solely for civil rights monitoring and compliance, not for benefit eligibility, claim determination, or research purposes. In UIPL 11-14, the U.S. Department of Labor stated that demographic data is collected to identify potential systemic discrimination and must be maintained in a confidential manner and only used for authorized federal reporting and compliance purposes.

Any statewide standards governing demographic data collection must recognize the federally mandated limitations of demographic data from the UI program and must preserve the DLIR's ability to continue to comply with these requirements.

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA



KEITH A. REGAN
COMPTROLLER
KA LUNA HO'OMALU HANA LAULĀ

CHRISTINE M. SAKUDA
CHIEF INFORMATION OFFICER
LUNA 'ENEHANA

STATE OF HAWAII' | KA MOKU'ĀINA O HAWAII'
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES | KA 'OIHANA LOIHELU A LAWELAWE LAULĀ

OFFICE OF ENTERPRISE TECHNOLOGY SERVICES | KE'ENA HO'OLANA 'ENEHANA

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Testimony of
CHRISTINE M. SAKUDA
CHIEF INFORMATION OFFICER
OFFICE OF ENTERPRISE TECHNOLOGY SERVICES
TO THE

HOUSE COMMITTEE ON ECONOMIC DEVELOPMENT & TECHNOLOGY
Friday, February 6, 2026

HOUSE BILL NO. 2499
RELATING TO DEMOGRAPHIC DATA

Chair Ilagan, Vice Chair Hussey, and members of the committee, thank you for the opportunity to submit testimony on H.B. 2499.

The Office of Enterprise Technology Services (ETS) provides **comments** on this bill which requires ETS to coordinate the development and maintenance of statewide data standards for the collection, management, and reporting of race and ethnicity demographic data by any state or county department, agency, board, or commission.

This measure focuses the use of collected demographic data on areas of public interest and establishes transparency and accountability requirements regarding artificial intelligence systems associated with the collected data.

We believe that standards for data collection are beneficial and acknowledge that the existing federal standards now distinguish between Native Hawaiian and Pacific Islander data.

We also acknowledge that many state agencies have their own unique data standards to facilitate their programs and ensure accuracy and privacy. We are not clear about the need to create a statewide data collection standard rather than using the existing state and federal models.

ETS advances the business of government through secure, efficient technology solutions. We enable executive departments and state agencies to share data seamlessly, fostering collaboration and improving public service delivery. We provide strategic guidance and technical expertise to ensure initiatives strengthen operations and create a more connected, responsive government.

Thank you for the opportunity to provide testimony on this measure.

OFFICE OF INFORMATION PRACTICES

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To: House Committee on Economic Development & Technology

From: Carlotta Amerino, Director

Date: February 6, 2026, 8:30 a.m.
State Capitol, Conference Room 423

Re: Testimony on H.B. No. 2499
Relating to Demographic Data

Thank you for the opportunity to submit testimony on this bill, which would require the Office of Enterprise Technology Services (ETS) to set and maintain statewide standards for collection and reporting of demographic data. The Office of Information Practices (OIP) takes no position on the substance of this bill, but has comments on a provision addressing the use of collected data.

Subsection 27-__(f), HRS, on page 4, provides that demographic data “collected pursuant to this section” must be used only for “public interest purposes,” with “personal identifying information” (PII) kept confidential and not subject to public disclosure. It is not clear whether this limitation on use and confidentiality provision is meant to apply only to data collected by ETS for the purpose of setting standards (the subject addressed in proposed section 27-__), or more broadly to demographic data collected by any agency for any purpose.

If the latter, much broader, interpretation is applied, the blanket prohibition on disclosure of PII is likely to be inconsistent with public access standards set by the UIPA and other laws. The UIPA does have an exception to public disclosure for information whose disclosure would be a clearly unwarranted invasion of personal

privacy, set out in paragraph 92F-13(1), HRS, which would apply to PII in some cases. In many cases, though, when information collected by an agency includes demographic information such as an individual's age or perceived ethnicity, the privacy exception would apply to the age and ethnicity information but not necessarily to the person's name or other related information. For instance, an agency's database of permit-holders (or licensees, or grantees) might include their age and ethnicity, and the agency could redact that information based on the UIPA's privacy exception when responding to a record request – but the UIPA would still require disclosing permit-holders' names. Government personnel databases include birth dates, which could be withheld under the privacy exception, but the UIPA still requires disclosing government employees' names.

To clarify that the prohibition on disclosing PII applies only to demographic data as collected by ETS for the purpose of the new section, not to the data as maintained by the agency that collected it in the first place, OIP respectfully recommends that this Committee amend subsection (f) on page 4, starting at line 15, to read as follows:

(f) The office of enterprise technology services shall use the demographic data it collects pursuant to this section solely for public interest purposes, including but not limited to health equity, language access, civil rights enforcement, and resource allocation. The office of enterprise technology services shall keep personal identifying information in the demographic data it collects pursuant to this section confidential and shall not publicly disclose the personal identifying information; provided that nothing contained in this section shall be construed to alter existing rights to access

government records subject to chapter 92F from an agency other than the office of enterprise technology services.

Thank you for considering OIP's testimony.



February 5th, 2026

House Committee on Economic Development and Tourism

Hearing Time: February 6th at 8:30 AM
Location: State Capitol Room 423
Re: HB2499 Relating to Demographic Data

Aloha e Chair Ilagan, Vice Chair Hussey, and members of the Committee:

We are writing **in strong support on** HB2499 Relating to Demographic Data.

This bill will require the Office of Enterprise Technology Services to coordinate the development and maintenance of statewide standards for the collection, management, and reporting of race and ethnicity demographic data by any state or county department, agency, board, or commission. This bill also focuses the use of collected demographic data on areas of public interest and establishes transparency and accountability requirements regarding artificial intelligence systems associated with the collected data. Lastly, the bill will require state and county departments, agencies, boards, and commissions that collect race and ethnicity data to report to the Office of Enterprise Technology Services on meeting federal data collection requirements. Appropriates funds.

This measure represents a necessary next step in Hawai'i's ongoing work to strengthen data-informed decision-making. The Legislature has already invested significant effort in studying demographic data practices through prior task forces and reports, which consistently identified fragmentation, inconsistency, and lack of shared standards as barriers to effective use of race and ethnicity data. By establishing a coordinated statewide framework, this bill moves Hawai'i from analysis to implementation. It will improve the ability of policymakers, agency leaders, researchers, and community partners to rely on comparable, high-quality data when making decisions about health equity, resource allocation, language access, and civil rights compliance. Clear standards and coordination reduce uncertainty, increase efficiency, and ensure that public data effectively serves its intended public purpose.

Better alignment of race and ethnicity data is foundational to sound decision-making in a state as diverse as Hawai'i. Without consistent definitions, categories, and reporting practices aligned with modern federal standards, even well-intentioned policies risk being based on incomplete or misleading information. This measure ensures that collection of race and ethnicity data reflects Hawai'i's communities accurately while remaining flexible enough to account for programmatic and technological realities. In doing so, it strengthens trust in government data and improves cross-agency comparability that supports evidence-based decisions now and into the future.



Hawai'i Data Collaborative (HDC) firmly believes that data informs our understanding of what's happening, why it's happening, and what we can do about it. Data helps identify opportunities, guide decisions, and create systems of accountability so we, as a community, can achieve better outcomes for all. Because HDC's focus is to improve the household need space, we partner with government, philanthropy, and community based organizations (CBO) to improve the data ecosystem in Hawai'i.

We support this measure.

Please support HB2499. Thank you for your time and consideration.

Thomas Lee, PhD, MPH
Director of Government Partnerships
Hawai'i Data Collaborative



February 6, 2026

House Committee on Economic Development and Technology
Rep. Greggor Ilagan, Chair
Rep. Ikaika Hussey, Vice Chair

RE: HB2499, Relating to Demographic Data

Chair Ilagan, Vice Chair Hussey, and members of the committee –

Navian Hawaii is a nonprofit organization supporting the needs of Hawai'i's aging population, including through hospice, palliative care, and integrated support services. We appreciate the opportunity to provide testimony **in support of** HB2499, Relating to Demographic Data. This bill would improve data collection at the state level, requiring the Office of Enterprise Technology to standardize systems and focus the use of collected demographic data on areas of public interest.

Hawai'i is undergoing a major demographic shift, with a rapidly aging population that will have profound implications for our healthcare infrastructure. In 2023, over 21% of Hawai'i's residents were aged 65 and older – a proportion that has been increasing and is projected to reach one in four by 2035. The fastest-growing segment includes those over 80 years old, a group that will require intensive levels of care, including skilled nursing, palliative, and hospice services.

As these demographics shift, accurate and transparent demographic data collection is essential to understanding and addressing changes in the quality and availability of care, particularly for our kupuna and other underserved communities.

This bill advances those ends, enabling more consistent and meaningful analysis of health outcomes, resource allocation, and service gaps. This in turn would provide for more responsive care models and better ensure that the diverse needs of Hawai'i's kupuna are met.

Navian Hawaii is a nonprofit organization supporting the needs of Hawai'i's aging population, including through hospice, palliative care, and integrated support services. The name "Navian" blends "Navigator" and "Guardian," reflecting our mission to guide individuals and their families through the physical and emotional challenges that often accompany aging and serious illness.

Thank you for the opportunity to submit testimony.

HB-2499

Submitted on: 2/4/2026 12:39:17 PM

Testimony for ECD on 2/6/2026 8:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Genaro Hale Gualdarama	Individual	Support	Written Testimony Only

Comments:

in support of bill 2499.