

SB59 • Hawaii

Relating To Algorithmic Discrimination.

Introduced

Risk: High

Comprehensive

Last Action (Jan 16, 2025): Referred to LBT, CPN/JDC.

Summary

SB59 prohibits discriminatory algorithmic decision-making and mandates notifications and annual reports to the Attorney General.

Business Impact

If you use algorithms for eligibility determinations in Hawaii, you must notify individuals and submit annual reports or face penalties.

Key Provisions

- Prohibits discriminatory algorithmic eligibility determinations based on protected characteristics.
- Requires covered entities to notify individuals about the use of their personal information.
- Mandates annual reports to the Department of the Attorney General.
- Defines key terms such as 'algorithmic eligibility determination' and 'personal information'.
- Allows civil enforcement for non-compliance.
- Exempts affirmative action plans from discrimination prohibitions.

Compliance Checklist

- Notify individuals about the use of their personal information in algorithmic decisions. | Who: Covered entities making algorithmic eligibility determinations. | Penalty: Civil action by the Attorney General.
- Conduct annual audits of algorithmic practices. | Who: Covered entities. | Penalty: Civil action by the Attorney General.
- Submit annual reports to the Department of the Attorney General. | Who: Covered entities. | Penalty: Civil action by the Attorney General.

Industries Affected

Technology

General

Finance

Employment

Education

Insurance

Housing

Healthcare

Topics

Automated Decision-Making

Bill Sponsors

Name	Party	Role
Karl Rhoads	D	Sponsor
Stanley Chang	D	Sponsor
Chris Lee	D	Sponsor

Official Source

https://www.capitol.hawaii.gov/session/measure_indiv.aspx?billtype=SB&billnumber;=59&year;=2025

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