Honolulu, Hawaii

Mark Z, 2006

RE: H.B. No. 2330 H.D. 1

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Third State Legislature Regular Session of 2006 State of Hawaii

Sir:

Your Committees on Consumer Protection & Commerce and Judiciary, to which was referred H.B. No. 2330 entitled:

"A BILL FOR AN ACT RELATING TO SOCIAL SECURITY NUMBER PROTECTION,"

beg leave to report as follows:

The purpose of this bill is to protect individuals from the theft of their social security numbers, by restricting the uses and disclosures of social security numbers by businesses.

The Department of Commerce and Consumer Affairs and the Department of the Attorney General submitted testimony in support of this bill. Retail Merchants of Hawaii supported the intent of this measure. The American Council of Life Insurers opposed this bill. ILWU Local 142, Consumer Data Industry Association, and Hawaii Medical Service Association provided comments.

Your Committees have amended this bill by:

- (1) Providing that the State, its departments, offices, and agencies, but not the counties, must comply with the restrictions established by this bill;
- (2) Broadening the exception that allows social security numbers to be mailed under certain circumstances, to include:

- (A) Any mailings made to confirm the accuracy of a social security number; and
- (B) Mailings specifically requested by the individual identified by the social security number;
- (3) Including additional exceptions allowing:
 - (A) The sharing of social security numbers between business affiliates;
 - (B) The collection, use, or release of a social security number as required by state or federal law;
 - (C) The use of social security numbers for internal verification or administrative purposes; and
 - (D) Disclosure of documents or records that are recorded or required to be open to the public under the constitution or state laws, or court rule or order;
- (4) Changing the effective date to July 1, 2096, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Consumer Protection & Commerce and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2330, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2330, H.D. 1, and be placed on the calendar for Third Reading.

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

SYLVIA LUKE, Chair

ROBERT N. HERKES, Chair

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Record of Votes of the Committee on Consumer Protection & Commerce

Bill/Resolution No.: HB 2330	Date:	2/9/0	6					
Committee Referral:	☐ The committee is reconsidering its previous decision on the measure.							
The recommendation is to: Pass, unamended Pass, with amendments								
☐ Hold ☐ Recommit								
CPC Members	Ayes	Ayes (WR)	Nays	Excused				
1. HERKES, Robert N. (C)	V							
2. SCHATZ, Brian (VC)	V							
3. CALDWELL, Kirk								
4. ITO, Ken				/				
5. KANOHO, Ezra R.				<u> </u>				
6. KARAMATSU, Jon Riki								
7. MORITA, Hermina M.								
8. SONSON, Alex M.	✓							
9. SOUKI, Joseph M.	'							
10. MARUMOTO, Barbara C.								
11. STONEBRAKER, Bud	V							
	10 mg/mg/mg/mg/mg/mg/mg/mg/mg/mg/mg/mg/mg/m							
TOTAL	6	1) 		5				
The recommendation is: Adopted								
☐ Not Adopted								
If joint referral, did not support recommendation.								
committee acronym(s)								
Vice Chair's or designee's signature:								
Distribution: Original (White) – Committee Duplicate (Yellow) – Clerk's Office								
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Record of Votes of the Committee on Judiciary

Bill/Resolution No.:		Date:	21-1				
нв2330			2/9/06	,			
Committee Referral:		☐ The committee is reconsidering its					
CPC/JUD	<u> </u>	previous decision on the measure.					
The recommendation is to: \Box	Pass, unamended	Pass, with amendments					
	l Hold	□ Recommit					
JUD Member	'S	Ayes	Ayes (WR)	Nays	Excused		
1. LUKE, Sylvia (C)		/					
2. OSHIRO, Blake K. (VC)		/					
3. CALDWELL, Kirk							
4. KANOHO, Ezra R.					/		
5. KARAMATSU, Jon Riki							
6. MORITA, Hermina M.					/		
7. SONSON, Alex M.		/					
8. SOUKI, Joseph M.	. 4.	/					
9. MARUMOTO, Barbara (1					
10. THIELEN, Cynthia							
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TOTAL		6			4		
The recommendation is: Adopted Not Adopted							
If joint referral, did not support recommendation.							
committee acronym(s)							
Vice Chair's or designee's signature:							
Distribution: Original (White) – Committee Duplicate (Yellow) – HMSO Duplicate (Pink) – Clerk's Office							