STAND. COM. REP. NO. | 383-06

Honolulu, Hawaii

kg:1 4 , 2006

RE: S.B. No. 2292

S.D. 2 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 S.B. No. 2292, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO DESTRUCTION OF PERSONAL INFORMATION RECORDS,"

beg leave to report as follows:

The purpose of this bill is to protect personal information from theft and misuse, by requiring a business or government agency that is discarding documents or other materials containing personal information, to destroy the information.

The Department of Commerce and Consumer Affairs, Honolulu Police Department, AARP Hawaii, and Hawaii Bankers Association supported this bill. Hawaii Financial Services Association supported the intent of this measure. The Consumer Data Industry Association commented on this bill.

This bill contains two remedies for violations of the law by business. A violation is actionable as an unfair or deceptive act or practice in the conduct of trade or commerce. In addition, persons injured may sue a business for the greater of actual damages or \$500. Your Committees find that government should also be held to its responsibilities under the law, and has amended this bill to provide the same action for damages or \$500, against government employees.

Your Committees have also amended this bill by:

- (1) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (2) 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 S.B. No. 2292, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2292, S.D. 2, H.D. 1, and be placed on the calendar for Third Reading.

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

SYLVIA LUKE, Chair

ROBERT N. HERKES, Chair

HSCR 1383-06

State of Hawaii House of Representatives The Twenty-third Legislature

Record of Votes of the Committee on Consumer Protection & Commerce

Bill/Resolution No.: 573 2291 (57) 2 3/22/06						
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)						
2. SCHATZ, Brian (VC)	<u> </u>					
3. CALDWELL, Kirk	V					
4. ITO, Ken	V			_		
5. KANOHO, Ezra R.			2000	V		
6. KARAMATSU, Jon Riki	V					
7. MORITA, Hermina M.	<u> </u>					
8. SONSON, Alex M.	V ,					
9. SOUKI, Joseph M.	V					
10. MARUMOTO, Barbara C.	V					
11. STONEBRAKER, Bud						
			-			
		,				
TOTAL	9			α		
The recommendation is:						
☐ Not Adopted						
If joint referral, did not support recommendation. committee acronym(s)						
Vile Chair's or designee's signature:						
Distribution: Original (White) – Committee Duplicate (Yellow) – Clerk's Office						



State of Hawaii House of Representatives The Twenty-third Legislature

Record of Votes of the Committee on Judiciary

Bill/Resolution No.: SB2292 SD2 (SSCR2602)	Date:	Date: 3/22/06				
Committee Referral: CPC/JUD	☐ The committee is reconsidering its previous decision on the measure.					
The recommendation is to: Pass, unamended	Pass, with amendments					
□ Hold □ Recommit						
JUD Members	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.						
9. MARUMOTO, Barbara C.						
10. THIELEN, Cynthia						
		-				
TOTAL	7		0	2		
The recommendation is:	,			,		
-						
☐ Not Adopted				•		
If joint referral, did not support recommendation.						
co	ommittee acronym(S)				
N. Children Indianal district						
Vice Chair's or designee's signature:						
Distribution: Original (White) – Committee Duplicate (Yellow) – HMSO Duplicate (Pink) – Clerk's Office						