Honolulu, Hawaii

Fely 10, 2009

RE: H.B. No. 615 H.D. 1

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Fifth State Legislature Regular Session of 2009 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 615 entitled:

"A BILL FOR AN ACT RELATING TO HARASSMENT,"

begs leave to report as follows:

The purpose of this bill is to prevent individuals from being harassed by those using innovative forms of technology by extending the offense of harassment to include any form of digital communication.

Several individuals testified in support of this measure. The City and County of Honolulu Department of the Prosecuting Attorney also supported this bill with amendments. The Office of the Public Defender offered comments.

Your Committee has amended this bill by broadening the form of technology to include any form of "electronic communication" instead of "digital communication". As defined in section 711-1111(2), Hawaii Revised Statutes, "electronic communication" means: "...any transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or part by a wire, radio, electromagnetic, photoelectronic, or photooptical system."

Other technical, nonsubstantive amendments were made for clarity, consistency, and style.

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As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 615, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 615, H.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on behalf of the members of the Committee on Judiciary,

TO PINE WARMANIE Chair

State of Hawaii House of Representatives The Twenty-fifth Legislature



Record of Votes of the Committee on Judiciary

Bill/Resolution No.: HB 615	Committee Referral:	Date	3/2/0	a
			2/3/0	, 9
The committee is reconsidering its previous decision on the measure.				
The recommendation is to: ☐ Pass, unamended (as is) ☐ Pass, with amendments (HD) ☐ Hold ☐ Pass short form bill with HD to recommit for future public hearing (recommit)				
Pass short form our with AD to recommit for future public heating (recommit)				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. KARAMATSU, Jon Riki (C)	V			
2. ITO, Ken (VC)				
3. BELATTI, Della Au				V
4. CABANILLA, Rida				
5. CARROLL, Mele		artigue a vigan		A Property of the second secon
6. HERKES, Robert N.				
7. LUKE, Sylvia				
8. McKELVEY, Angus L.K.				V
9. MIZUNO, John M.				
10. MORITA, Hermina M. 11. OSHIRO, Blake K.				
12. SOUKI, Joseph M.				
13. TSUJI, Clift	19		100	
14. WAKAI, Glenn				
15. MARUMOTO, Barbara C.				of Later admits over a second
16. THIELEN, Cynthia				
TOTAL (16)	12			4
The recommendation is: Adopted Not Adopted				
If joint referral, did not support recommendation.				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				