JAN 2 5 2012

## A BILL FOR AN ACT

RELATING TO WEB DESIGNERS AND DEVELOPERS.

### BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1	SECT	ION 1. Chapter 481B, Hawaii Revised Statutes, is
2	amended by	y adding a new section to read as follows:
3	" <u>§48</u> 1	Web designers and developers; prohibited acts.
4	(a) It sh	nall be unlawful for any person who provides web design
5	or develor	oment services for compensation to:
6	(1)	Use in the web page or website design or programming
7		any graphics or other material or software that the
8		person is not authorized to use, including copyrighted
9		<pre>material;</pre>
10	(2)	Design or program the web page or website to include
11		material that is not approved by the customer;
12	(3)	Claim ownership of the web page or website after the
13		person has completed the job and has been compensated
14		by the customer as agreed upon; or
15	(4)	Use any material at any time obtained from the
16		customer's computer, including e-mail and e-mail
17		addresses, without authorization from the customer.

1	(b) As used in this section, "web designer" or "web
2	developer means a person who designs or creates a web page or
3	website, or programs a web page or website, or both."
4	SECTION 2. This Act does not affect rights and duties that
5	matured, penalties that were incurred, and proceedings that were
6	begun before its effective date.
7	SECTION 3. New statutory material is underscored.
8	SECTION 4. This Act shall take effect upon its approval.
9	
	INTRODUCED BY:

# S.B. NO. 2951

### Report Title:

Web Designers and Developers; Unfair and Deceptive Practices

### Description:

Prohibits certain acts by web designers and developers, such as using unauthorized graphics or other material, subject to penalties under the unfair and deceptive practices law.

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