

Honolulu, Hawaii

APR 04 2016

RE: H.B. No. 2639

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2016
State of Hawaii

Sir:

Your Committee on Judiciary and Labor, to which was referred
H.B. No. 2639 entitled:

"A BILL FOR AN ACT RELATING TO WIRELESS TELECOMMUNICATIONS
SERVICE,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Require a wireless telecommunications service provider that receives an opt-out request from a victim of domestic abuse to transfer the billing authority and all rights to the shared wireless plan to the victim or remove the victim from the shared wireless plan and assign the victim a substitute telephone number, without charge, penalty, or fee;
- (2) Specify that there is no cause of action against a wireless telecommunications service provider, its officers, employees, or agents for transferring billing authority and all rights to a wireless telephone number to a domestic abuse victim; and
- (3) Expand the acts of abuse, the victims of which may be eligible for a release from shared wireless plans by changing references to "domestic violence", as defined in section 321-471, Hawaii Revised Statutes (HRS), to "domestic abuse", as defined in section 586-1, HRS.



Your Committee did not receive any written testimony relating to this measure.

Your Committee finds that victims of domestic abuse often find themselves struggling to escape their abusive situations. The financial and contractual obligations associated with wireless plans often act as a barrier that prevents a domestic abuse survivor from leaving an abusive relationship. Act 219, Session Laws of Hawaii 2015 (Act 219), addressed these barriers by, among other things, requiring wireless telecommunications service providers to release domestic violence victims from shared service plans upon request and with documentation. This measure expands on the requirements of Act 219 by: providing necessary liability protection for wireless telecommunications service providers who transfer the wireless telephone number of a victim of domestic abuse; providing wireless telecommunications service providers with a reasonable deadline to complete the transfer or change of service for a victim of domestic abuse; and ensuring that the transfer of billing authority or removal or release of a victim of domestic abuse from a wireless plan is done without charge, penalty, or fee.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2639, and recommends that it pass Third Reading.

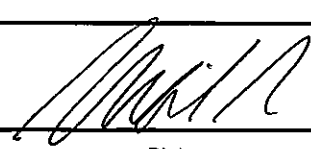
Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Labor,


GILBERT S.C. KEITH-AGARAN, Chair



The Senate
Twenty-Eighth Legislature
State of Hawai'i

Record of Votes
Committee on Judiciary and Labor
JDL

Bill / Resolution No.:* <div style="font-size: 1.2em; font-family: cursive;">HB 2639</div>	Committee Referral: <div style="font-size: 1.2em; font-family: cursive;">CPH, JDL</div>	Date: <div style="font-size: 1.2em; font-family: cursive;">3/29/16</div>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="text-align: center;"> <input checked="" type="checkbox"/> Pass, unamended 2312 </div> <div style="text-align: center;"> <input type="checkbox"/> Pass, with amendments 2311 </div> <div style="text-align: center;"> <input type="checkbox"/> Hold 2310 </div> <div style="text-align: center;"> <input type="checkbox"/> Recommit 2313 </div> </div>				
Members	Aye	Aye (WR)	Nay	Excused
KEITH-AGARAN, Gilbert S.C. (C)	/			
SHIMABUKURO, Maile S.L. (VC)	/			
GABBARD, Mike				/
KAHELE, Kaiali'i	/			
KIM, Donna Mercado				/
THIELEN, Laura H.	/			
SLOM, Sam				/
TOTAL	4			3
Recommendation: <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted </div>				
Chair's or Designee's Signature: <div style="text-align: right; font-family: cursive; font-size: 1.2em; margin-top: 10px;">  </div>				
Distribution: <div style="display: flex; justify-content: space-between; font-size: 0.8em; margin-top: 5px;"> <div>Original File with Committee Report</div> <div>Yellow Clerk's Office</div> <div>Pink Drafting Agency</div> <div>Goldenrod Committee File Copy</div> </div>				

*Only one measure per Record of Votes