STAND. COM. REP. NO. 3744

Honolulu, Hawaii

FEB 2 8 2020

RE: S.B. No. 2354

S.D. 1

Honorable Ronald D. Kouchi President of the Senate Thirtieth State Legislature Regular Session of 2020 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 2354, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO DECEPTIVE PRACTICES,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Prohibit a person from advertising or conducting a live musical performance using deceptive affiliation under certain conditions; and
- (2) Enable action against deceptive practices by imposing penalties and private right of action.

Your Committee did not receive testimony on this measure.

Your Committee finds that over thirty states have passed Truth in Music Advertising laws, and other states utilize general deceptive acts or consumer protection laws to prevent cover bands and imposter performers from misappropriating the intellectual property of other artists. This measure adopts provisions of the model Truth in Music Advertising law to provide protections for Hawaii's performing artists and to protect the public from deceptive acts.

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 S.B. No. 2354, S.D. 1, and recommends that it pass Third Reading.

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

KARL RHOADS, Chair

The Senate Thirtieth Legislature State of Hawai'i

Record of Votes Committee on Judiciary JDC

Bill / Resolution No.:* Comm	aittoo Doformali	D.1		
1 = - 0 (51) = 5 1	committee Referral:		Date:	
SB 2354 501 C	CPH, JDC		2/28/20	
The Committee is reconsidering its previous decision on this measure.				
If so, then the previous decision was to:				
The Recommendation is:				
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313				
Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)				
KEOHOKALOLE, Jarrett (VC)				
GABBARD, Mike				
KIM, Donna Mercado				
FEVELLA, Kurt				
TOTAL	3			2
Recommendation:				
Adopted Not Adopted				
Chair's or Designee's Signature:				
Distribution: Original File with Committee Report	Yellow Pink Goldenrod			
i ne with Committee Report	Clerk's Office D	rafting Agency	Committee	File Copy

*Only one measure per Record of Votes