

STAND. COM. REP. NO. 515

Honolulu, Hawaii

FEB 22 2021

RE: S.B. No. 714  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-First State Legislature  
Regular Session of 2021  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 714 entitled:

"A BILL FOR AN ACT RELATING TO PUBLICITY RIGHTS,"

begs leave to report as follows:

The purpose and intent of this measure is to clarify that the rights of publicity includes the rights of individuals who died prior to the enactment of the Hawaii Publicity Rights Act.

Your Committee received testimony in support of this measure from SAG-AFTRA Hawaii Local, Hawaii Academy of Recording Arts, one member of the Honolulu City Council, and thirteen individuals.

Your Committee finds that the Hawai'i Publicity Rights Act (HPRA), was enacted on July 15, 2009, to recognize the existence of the right of publicity, which is a property right in the commercial use of one's name, voice, signature, likeness, and other commercially valuable attributes. Your Committee further finds that the Legislature's intent in enacting the HPRA in 2009 was to recognize the right of publicity held by all persons, living and dead, including those who predeceased the enactment of the HPRA. This measure will clarify that the HPRA applies retroactively to protect the publicity rights of individuals who died prior to the date of its enactment.



Your Committee has amended this measure by making technical, nonsubstantive amendments for the purposes of clarity and consistency.

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. 714, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 714, S.D. 1, and be placed on the calendar for Third Reading.

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



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KARL RHOADS, Chair



