STAND. COM. REP. NO. 1459 -24

Honolulu, Hawaii

, 2024

MAR 27

RE: S.B. No. 2193

S.D. 1 H.D. 1

Honorable Scott K. Saiki Speaker, House of Representatives Thirty-Second State Legislature Regular Session of 2024 State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred S.B. No. 2193, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO COMPUTER CRIME,"

begs leave to report as follows:

The purpose of this measure is to amend the offense of use of a computer in the commission of a separate crime to include violation of privacy in the first and second degrees.

Your Committee received testimony in support of this measure from the Department of the Prosecuting Attorney of the City and County of Honolulu; Honolulu Police Department; and three individuals. Your Committee received testimony in opposition to this measure from the Office of the Public Defender.

Your Committee finds that the use of a computer to commit a separate crime, such as hacking into someone's personal or financial information, has become increasing prevalent in this digital age. Violation of privacy in the first and second degree can have devastating consequences for individuals. Your Committee believes that clarifying and strengthening penalties for using a computer to violate privacy will uphold and protect individuals' privacy rights and ensure equitable administration of justice.

Your Committee has amended this measure by:

- (1) Including a sunset date of July 1, 2027;
- (2) Changing the effective date to July 1, 3000, to encourage further discussion; and
- (3) Making a technical, nonsubstantive amendment for the purpose of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2193, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2193, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on behalf of the members of the Committee on Judiciary & Hawaiian Affairs,

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DAVID A. TARNAS, Chair

State of Hawaii



Record of Votes of the Committee on Judiciary & Hawaiian Affairs

SB2193, SD1 Committee	Resolution No.: SB2193, SD1 Committee Referral: SHA		Date: 3-13.24	
☐ 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)				
JHA Members	Ayes	Ayes (WR)	Nays	Excused
1. TARNAS, David A. (C)				
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2. TAKAYAMA, Gregg (VC)		Desir State of Course and Course		
3. EVSLIN, Luke A.	AND THE PROPERTY OF THE			
5. Evident, Bure A.				
4. GANADEN, Sonny				
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5. HOLT, Daniel				
6. ICHIYAMA, Linda		Factor of the contract of		
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7. ILAGAN, Greggor		(m/85) (h) (m/85) (k) (m/85)		
8. KONG, Sam Satoru		MALE WILLIAM TO THE WAR	A CONTRACTOR OF THE SECOND	A CONTRACTOR
		(B)		
9. MIYAKE, Tyson K.			The state of the s	
The state of the s				
10. SOUZA, Kanani				
TOTAL (10)	9	1		
The recommendation is: Adopted Not Adopted				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				