

Honolulu, Hawaii

MAR 30 2026

RE: H.B. No. 1682
H.D. 1
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Third State Legislature
Regular Session of 2026
State of Hawaii

Sir:

Your Committee on Labor and Technology, to which was referred
H.B. No. 1682, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE DISCLOSURE OF INTIMATE
IMAGES,"

begs leave to report as follows:

The purpose and intent of this measure is to enact the
Uniform Civil Remedies for Unauthorized Disclosure of Intimate
Images Act.

Your Committee received testimony in support of this measure
from Imua Alliance, Joyful Heart Foundation, Hawaii State
Commission on the Status of Women, Hawai'i Women Lawyers, Hawai'i
State Coalition Against Domestic Violence, Uniform Law Commission,
and seven individuals.

Your Committee received testimony in opposition to this
measure from the Sex Abuse Treatment Center.

Your Committee finds that the unauthorized disclosure or
threatened disclosure of intimate images is a serious intrusion of
personal privacy that may result in significant and enduring harm
to an individual, including emotional distress, damage to
reputation, and financial consequences such as obstacles to
employment or educational opportunities. Your Committee further



finds that existing law does not provide a consistent or comprehensive civil remedy to address this conduct, often leaving victims without relief. This measure establishes clear civil remedies and procedural safeguards aimed at protecting privacy interests while accommodating appropriate exceptions to promote accountability and provide meaningful resources for victims.

Your Committee has amended this measure by:

- (1) Inserting a definition of "bodily injury" to have the same meaning as defined in section 707-700, Hawaii Revised Statutes;
- (2) Amending the definition of "depicted individual" to clarify that the term includes deceased individuals;
- (3) Inserting a definition of "digital replica" to mean a computer-generated, highly realistic electronic representation that is readily identifiable as the voice or visual likeness of an individual that is embodied in a sound recording, image, audiovisual work, or transmission in which the actual individual either did not actually perform or appear, or the actual individual did perform or appear, but the fundamental character of the performance or appearance has been materially altered;
- (4) Amending the definition of "intimate image" to mean any digital image, digital replica, photograph, or live or recorded video or computer-generated image or video that depicts a person in a state of undress; in nude, as defined in section 712-1210, Hawaii Revised Statutes; engaged in sexual conduct, as defined in section 712-1210, Hawaii Revised Statutes; or committing acts of self-harm, self-mutilation, or other self-injury that results in bodily injury;
- (5) Changing the cause of action for a depicted individual to bring a civil action against a person from one requiring that the person knew or acted with reckless disregard as to whether the depicted individual did not consent to the disclosure, the image was private, and the depicted individual was identifiable, to one



requiring that the person knew, or reasonably should have known, that the depicted individual had a reasonable expectation that the intimate image would remain private;

- (6) Inserting language requiring the court to order a non-prevailing defendant in an action under the measure to:
 - (A) Cease and desist from further disclosing the intimate image;
 - (B) Destruct, delete, or return the original and all copies of the intimate image in the defendant's possession, custody, or control to the prevailing plaintiff; and
 - (C) Identify all persons to whom the defendant disclosed the intimate image;
- (7) Inserting language establishing that for a depicted individual who is deceased, or upon the death of a depicted individual:
 - (A) All rights of the depicted individual under this measure shall vest in the estate of the deceased depicted individual;
 - (B) The rights vested in the estate may be exercised by the personal representative of the estate in accordance with chapter 560, Hawaii Revised Statutes; and
 - (C) If no personal representative has been appointed, any person authorized under chapter 560, Hawaii Revised Statutes, to petition for appointment of a personal representative may petition the court for appointment for the limited purpose of exercising the rights under this measure;
- (8) Inserting an effective date of January 1, 2077, to encourage further discussion; and



- (9) 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 Labor and Technology that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1682, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1682, H.D. 1, S.D. 1, and be referred to your Committee on Judiciary.

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

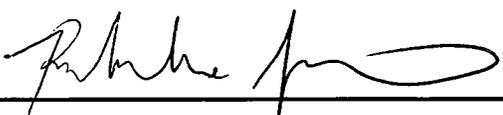


BRANDON J.C. ELEFANTE, Chair



The Senate
 Thirty-Third Legislature
 State of Hawai'i

Record of Votes
Committee on Labor and Technology
LBT

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 1682 HD1	LBT, JDC	3-18-26		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
ELEFANTE, Brandon J.C. (C)	✓			
LAMOSAO, Rachele (VC)	✓			
IHARA, Jr., Les	✓			
MORIWAKI, Sharon Y.	✓			
FEVELLA, Kurt	✓			
TOTAL	5	0	0	0
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution: Original Yellow Pink File with Committee Report Committee Drafting Agency				

*Only one measure per Record of Votes