STAND. COM. REP. NO. 2911

Honolulu, Hawaii

MAR 0 6 2026

RE: S.B. No. 1163
S.D. 2

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

Sir:

Your Committee on Commerce and Consumer Protection, to which was referred S.B. No. 1163, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO PRIVACY,"

begs leave to report as follows:

The purpose and intent of this measure is to:

(1) Prohibit the sale of geolocation information and internet browser information without consent;

(2) Prohibit the sale of data collected through eavesdropping or through an application operating in the background of a device that uses the device's microphone; and

(3) Establish exemptions for lawful investigations conducted by law enforcement agencies, customer proprietary network information, and certain telecommunication carriers.

Your Committee received testimony in support of this measure from Planned Parenthood Alliance Advocates and one individual.

Your Committee received testimony in opposition to this measure from the State Privacy and Security Coalition; TechNet; Association of National Advertisers; American Association of

Advertising Agencies, 4As; American Advertising Federation; Digital Advertising Alliance; and CTIA.

Your Committee received comments on this measure from the Office of Consumer Protection of the Department of Commerce and Consumer Affairs and Hawaiian Telcom.

Your Committee finds that it is important to protect consumers' personal data against unregulated sale, including geolocation and browsing history, as this can pose real risks to privacy and safety. This measure would establish stronger safeguards to restrict the uninhibited sale of personal data.

Your Committee has amended this measure by:

(1) Clarifying the definition of "precise location" to mean any data that locates a user within the geographic area that is equal to or less than the area of a circle having a radius of 1,850 feet; and

(2) 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 Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1163, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1163, S.D. 2.

Respectfully submitted on behalf of the members of the Committee on Commerce and Consumer Protection,

JARRETT KEOHOKALOLE, Chair

The Senate
Thirty-Third Legislature
State of Hawai'i

Record of Votes
Committee on Commerce and Consumer Protection
CPN

Bill / Resolution No.:*	Committee Referral:	Date:
SB 1163 SD1	LBT, CPN	2/25/26

☐ The Committee is reconsidering its previous decision on this measure.

If so, then the previous decision was to: _____

The Recommendation is:

☐ Pass, unamended 2312 ☑ Pass, with amendments 2311 ☐ Hold 2310 ☐ Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
KEOHOKALOLE, Jarrett (C)	✓			
FUKUNAGA, Carol (VC)	✓			
LAMOSAO, Rachele				✓
MCKELVEY, Angus L.K.	✓			
AWA, Brenton	✓			
TOTAL	4	0	0	1

Recommendation: ☑ Adopted ☐ Not Adopted

Chair's or Designee's Signature:

Carol Fukunaga

Distribution: Original — File with Committee Report; Yellow — Committee; Pink — Drafting Agency

*Only one measure per Record of Votes

Revised: 01/02/26