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## Testimony of the Department of Commerce and Consumer Affairs

Before the  
Senate Committee on Judiciary  
Tuesday, April 7, 2026  
10:15 a.m.  
Via Videoconference  
Conference Room 016

On the following measure:  
**H.B. 1753, S.D. 1, Relating to Social Media**

Chair Keohokalole and Members of the Committee:

My name is Radji Tolentino and I am an Enforcement Attorney with the Department of Commerce and Consumer Affairs' (DCCA) Office of Consumer Protection (OCP). The Department appreciates the intent of this bill and offers comments.

H.B. 1753, S.D. 1 gives Hawaii residents the right to remove their presence online when they close a social media account. We are aware of consumer concerns that social media companies intentionally make it hard to leave their platforms, using confusing menus or "dark patterns" to keep users and their data on the platform and available to the social media company. More importantly, it ensures that "deletion" actually means that data is gone-not just hidden or archived- which protects consumers from future data breaches and identity theft.

We support the provision that prevents companies from requiring additional personal information solely to process a deletion request and appreciate the

incorporation of detailed definitions from the California Consumer Privacy Act to enhance consumer protections. S.D. 1 appropriately classifies “unique identifiers” and “inferences” as personal information. Social media companies are already required to comply with similar requirements under the California Consumer Privacy Act, and we are unaware of any operational difficulties they may encounter assuming they are already compliant with the California law establishing the right to be forgotten.

The definition of “personal information” in S.D. 1 expressly includes less visible data such as tracking cookies, IP addresses, and digital beacons. Absent these clarifications, a company could delete a consumer’s account while continuing to track the consumer’s device through unique identifiers.

S.D. 1 also extends protection to “inferences,” which include profiles and conclusions drawn about a consumer’s habits, health, or other sensitive attributes. By clearly defining both personal information and sensitive personal information, the bill ensures that a deletion request applies comprehensively and prevents companies from retaining data.

Thank you for the opportunity to testify on this bill.



April 7, 2026

The Honorable Karl Rhoads  
Chair  
Committee on Judiciary  
415 South Beretania Street  
Honolulu, HI 96813

**RE: Amend HB 1753 - Social Media Account Data Deletion**

Dear Chair Rhoads and members of the committee,

On behalf of Chamber of Progress, a tech industry association supporting public policies to build a society in which all people benefit from technological advances, **I respectfully urge you to amend HB 1753**, which would require certain social media platforms to provide users with the ability to delete their accounts and permanently erase associated personal and sensitive personal information.

**Targeted amendments to improve clarity, safety, and workability**

We appreciate the intent of this legislation to strengthen user control over personal data and ensure meaningful account deletion rights. To better balance user privacy with platform safety, operational feasibility, and effective enforcement, we respectfully propose three targeted amendments that clarify key definitions and align the bill with real-world practices.

1. Adds "or for safety reasons" to the *deletion* definition
2. Tightens the definition of social media platform: "Social media platform" means an electronic service or system that enables users to create profiles and **serves to primarily** interact with others, including posting content, messaging, or engaging in social networking online.
3. Under the Account deletion user rights section, aligns current practice for notifying a user that a deletion has been requested and is being processed: (2) Notify the user that deletion of the user's account, personal information, and sensitive personal information **will be completed upon the initiation of account deletion.** ~~has been completed.~~

These amendments are necessary to ensure the bill functions as intended while balancing user privacy with platform safety. Retaining certain data is essential for protecting platforms and users, as it allows companies to investigate abuse, enforce

terms of service, and prevent bad actors from simply deleting their content to hide evidence of harmful behavior. In the case of full account deletions, honoring the user's privacy means erasing their data. Once the account is deleted, a company will no longer have the user's contact information or a destination to send a follow-up notification.

For this reason, we respectfully urge you to **amend HB 1753**.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert Singleton". The signature is fluid and cursive, with the first name "Robert" being more prominent than the last name "Singleton".

Robert Singleton  
Senior Director of Policy and Public Affairs, California and US West

**HB-1753-SD-1**

Submitted on: 4/1/2026 2:32:24 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

Submitted By	Organization	Testifier Position	Testify
William Caron	Individual	Support	Written Testimony Only

Comments:

Aloha Chair, Vice Chair, and Members of the Committee,

I am writing in **strong support** of HB1753, a common-sense consumer protection measure that would give Hawai'i residents real control over their personal data by requiring social media platforms to provide a clear, accessible mechanism for account deletion and the permanent erasure of associated personal information.

**Why Is This Important?**

For years, social media platforms have made it intentionally difficult for users to leave. Signing up for an account is often a matter of a few clicks. But deleting that same account? That can require navigating a labyrinth of confusing menus, hidden pages, and deliberate obstacles designed to discourage users from following through. This is not an accident; it is a feature of the business model. These platforms profit from collecting and retaining our personal information, and they have little incentive to let it go.

HB1753 directly addresses this imbalance of power. The bill requires certain social media platforms to provide an accessible mechanism for users to delete their accounts and, critically, to permanently erase **all personal information and sensitive personal information** associated with those deleted accounts. It also prohibits the deceptive practices that platforms currently use to obstruct account deletion.

**The Right to Be Forgotten**

At its core, HB1753 is about the fundamental right to control one's own digital footprint. When a person decides they no longer wish to use a platform, they should be able to leave—completely, permanently, and without harassment. They should not have to wonder whether their data remains on some server, waiting to be compromised in the next data breach. They should not have to worry that their personal information, including sensitive data, continues to be bought, sold, and traded long after they have stopped using the service.

This bill ensures that "deletion" means what it says. It is not enough to deactivate an account or make it invisible to other users while the platform retains all the underlying data. Deletion must be permanent. The personal information must be erased.

## Prohibiting Deceptive Practices

Equally important, HB1753 prohibits the deceptive tactics that platforms currently use to keep users trapped. We have all seen examples:

- Account deletion links buried deep in settings, accessible only through a circuitous path.
- Confusing language designed to make users think deactivating is the same as deleting.
- Pop-ups and "Are you sure?" messages that guilt or shame users into staying.
- Requiring users to log in again or jump through additional hoops after they have already initiated the deletion process.

These practices are not about helping users make informed decisions. They are about retention at all costs. HB1753 says: no more. If a user wants to delete their account, the platform must make that process straightforward, accessible, and free from obstruction.

## Enforcement Matters

The bill also authorizes the Attorney General to pursue civil actions and seek injunctive relief and penalties for violations. This enforcement mechanism is essential. Without it, the bill would be a set of unenforceable suggestions. With it, we send a clear message to platforms that operate in Hawai'i: respect our residents' right to delete their data, or face real consequences.

## Who This Protects

This bill protects everyone who uses social media, but it is especially important for vulnerable populations:

- **Young people** who may have joined platforms impulsively and later regret the digital footprint they created.
- **Survivors of domestic abuse or stalking** who need to remove themselves completely from platforms where they may be tracked or harassed.
- **Anyone** who has simply decided that the costs of social media—to their privacy, their mental health, or their time—now outweigh the benefits.

## A Growing Movement

Hawai'i is not alone in recognizing this problem. Other states and countries are moving toward similar "right to delete" protections. By passing HB1753, we join a growing movement to rebalance the relationship between individuals and the platforms that profit from their data.

I urge this committee to pass HB1753 and give Hawai'i residents the power to truly leave social media behind when they choose to do so.

Mahalo for the opportunity to testify.