
A BILL FOR AN ACT

RELATING TO IDENTITY THEFT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. In 2005, the Hawaii anti-phishing task force
2 was established in the department of the attorney general to
3 develop state policy on how best to prevent further occurrences
4 of phishing and other forms of electronic commerce-based crimes
5 in the state. The task force focused on:

6 (1) Examining state agencies charged with the
7 responsibility of developing policies, procedures, and
8 operations to prevent, monitor, and enforce electronic
9 commerce-based criminal activities and sanctions;

10 (2) Deriving best practice models from the review of other
11 jurisdictions' activities, policies, and laws related
12 to the prevention of electronic commerce-based crimes;

13 (3) Exploring other options available to the task force to
14 deter electronic commerce-based crimes from occurring
15 in the state; and

16 (4) Establishing findings and recommendations on
17 electronic commerce-based crime prevention.



1 The task force submitted to the legislature findings and
2 recommendations on deterring electronic commerce-based crime.

3 The purpose of this Act is to implement the task force
4 recommendations.

5 SECTION 2. Act 65, Session Laws of Hawaii 2005, is amended
6 by amending section 2 to read as follows:

7 "SECTION 2. (a) There is established [~~within the~~
8 ~~department of the attorney general~~] a [~~Hawaii anti-phishing~~
9 joint legislative identity theft task force to examine options
10 to prevent electronic commerce-based crimes in the [~~State.~~]
11 state and to safeguard and protect from identity theft all
12 personal identifying information collected by the State.

13 (b) The [~~Hawaii anti-phishing~~] joint legislative identity
14 theft task force shall include members as follows:

- 15 (1) The attorney general or the attorney general's
16 designee;
- 17 (2) The director of the office of consumer protection;
- 18 (3) The United States Attorney for the District of Hawaii
19 or the United States Attorney's designee;
- 20 (4) Two members [~~of the Hawaii state senate~~] to be
21 appointed by the president of the senate;



- 1 (5) Two members [~~of the Hawaii state house of~~
2 ~~representatives~~] to be appointed by the speaker of the
3 house of representatives;
- 4 (6) Two members representing the financial services
5 industry, one appointed by the president of the senate
6 and one appointed by the speaker of the house of
7 representatives;
- 8 (7) A member of the Honolulu police department's criminal
9 investigation division; [~~and~~]
- 10 (8) A member of the Honolulu field office's United States
11 Secret Service electronic crimes unit[-];
- 12 (9) The chief justice of the supreme court or the chief
13 justice's designee;
- 14 (10) A member representing all of the county police
15 departments appointed by the police chiefs;
- 16 (11) A member from the Hawaii Prosecuting Attorneys'
17 Association;
- 18 (12) A member representing the United States Postal
19 Service;
- 20 (13) A member representing the Chamber of Commerce of
21 Hawaii;



- 1 (14) A member representing the Consumer Data Industry
2 Association; and
- 3 (15) A member representing the National Federation of
4 Independent Business.
- 5 (c) The task force shall:
- 6 (1) Examine the policies, procedures, and operations of
7 state agencies charged with the responsibility of
8 developing policies to prevent electronic commerce-
9 based crimes, monitoring electronic commerce-based
10 criminal activity, and enforcing electronic
11 commerce-based criminal sanctions;
- 12 (2) Review other jurisdictions' activities, policies,
13 directives, and laws related to preventing electronic
14 commerce-based crimes and derive best practices models
15 therefrom;
- 16 (3) Explore any other options available to the task force
17 to deter electronic commerce-based crimes from
18 occurring in the State; ~~and~~
- 19 (4) Establish findings and develop recommendations on how
20 the State may best deter electronic commerce-based
21 crimes from occurring in the ~~[State.]~~; and



1 much thereof as may be necessary for fiscal year 2006-2007 for
2 reimbursement of travel expenses of task force members.

3 The sum appropriated shall be expended by the legislature
4 for the purposes of this Act.

5 SECTION 4. All appropriations, records, equipment,
6 machines, files, supplies, contracts, books, papers, documents,
7 maps, and other personal property heretofore made, used,
8 acquired, or held by the department of the attorney general
9 relating to the functions transferred to the legislature shall
10 be transferred with the functions to which they relate.

11 SECTION 5. Statutory material to be repealed is bracketed
12 and stricken. New statutory material is underscored.

13 SECTION 6. This Act shall take effect on July 1, 2096.



Report Title:

Joint Legislative Identity Theft Task Force

Description:

Changes name of the Hawaii Anti-Phishing Task Force, expands its responsibilities, and extends its life until 6/30/07. Adds the chief justice and representatives from each county police department, and the Hawaii Prosecuting Attorneys' Association, U.S. Postal Service, NFIB, Hawaii Chamber of Commerce, and Consumer Data Industry Association to the task force. (HB3244 HD1)

