
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 bill is to implement the
4 recommendations of the task force.

5 SECTION 2. Chapter 501, Hawaii Revised Statutes, is
6 amended by adding a new section to be appropriately designated
7 and to read as follows:

8 "§501- Social security numbers. The social security
9 number of any individual against whom judgment is rendered that
10 is contained in or endorsed on any judgment, order, decree, or
11 lien affecting the title to real property and filed with the
12 registrar, shall be subject to public inspection only upon the
13 consent of that individual."

14 SECTION 3. Chapter 502, Hawaii Revised Statutes, is
15 amended by adding a new section to be appropriately designated
16 and to read as follows:

17 "§502- Social security numbers. The social security
18 number of any individual against whom judgment is rendered that
19 is contained in or endorsed on any judgment, order, decree, or
20 lien affecting the title to real property and recorded with the
21 registrar, shall be subject to public inspection only upon the
22 consent of that individual."

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SECTION 4. Section 571-84, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

"(a) The court shall maintain records of all cases brought before it. Except as provided in section 571-84.6, in proceedings under section 571-11 and in paternity proceedings under chapter 584, the following records shall be withheld from public inspection: the court docket, petitions, complaints, motions, and other papers filed in any case; transcripts of testimony taken by the court; and findings, judgments, orders, decrees, and other papers other than social records filed in proceedings before the court. The records other than social records shall be open to inspection: by the parties and their attorneys, by an institution or agency to which custody of a minor has been transferred, and by an individual who has been appointed guardian; with consent of the judge, by persons having a legitimate interest in the proceedings from the standpoint of the welfare of the minor; and, pursuant to order of the court or the rules of court, by persons conducting pertinent research studies, and by persons, institutions, and agencies having a legitimate interest in the protection, welfare, treatment, or disposition of the minor; provided that the social security


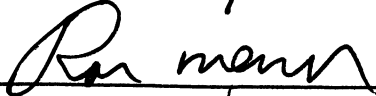
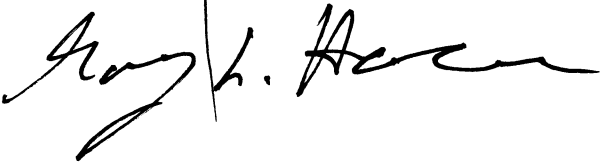
1 number of any individual contained in the records shall not be
2 made available for public inspection without the consent of that
3 individual."

4 SECTION 5. New statutory material is underscored.

5 SECTION 6. This Act shall take effect upon its approval.

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INTRODUCED BY:

SB2150

Report Title:

Identity Theft; Family Court Records; Judgments

Description:

Prohibits public inspection of family court records or judgments affecting title to land that contain the social security number of any individual without the consent of that individual.

