

Honolulu, Hawaii

March 3, 2006

RE: H.B. No. 2256
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Third State Legislature
Regular Session of 2006
State of Hawaii

Sir:

Your Committee on Finance, to which was referred H.B. No. 2256 entitled:

"A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION,"

begs leave to report as follows:

The purpose of this bill is to deter the use of methods to:

- (1) Fraudulently gain information about a computer user; or
- (2) Control another person's computer, such as "phishing" and "spyware."

Specifically, this measure:

- (1) Establishes the offense of unauthorized installation of software, fraudulent inducement to install software, and inducement for unlawful use of a computer;
- (2) Allows the Attorney General or the county prosecuting attorney to seek up to \$2,500 per violation of the law; and
- (3) Authorizes private action to recover \$5,000 per violation or triple the amount of damages caused, whichever is greater.




The Department of the Attorney General opposed this bill. The Department of Commerce and Consumer Affairs submitted comments.

Your Committee has amended this bill by:

- (1) Changing the effective date to July 1, 2020, to encourage further discussion; and
- (2) Making, technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2256, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2256, H.D. 1.

Respectfully submitted on
behalf of the members of the
Committee on Finance,



DWIGHT TAKAMINE, Chair



