

Honolulu, Hawaii

March 30, 2006

RE: S.B. No. 2159
S.D. 2
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 Committees on Consumer Protection & Commerce and
Judiciary, to which was referred S.B. No. 2159, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO IDENTITY THEFT,"

beg leave to report as follows:

The purpose of this bill is to increase protections for
personal information by:

- (1) Making it a class C felony to knowingly possess, without
authorization, confidential personal information; and
- (2) Providing for repeat felony offender sentencing of
offenders with prior felony convictions who are
convicted of Unauthorized Possession of Confidential
Personal Information or of Identity Theft in the Third
Degree.

The Department of the Attorney General, Department of
Commerce and Consumer Affairs, Honolulu Prosecuting Attorney,
Honolulu Police Department, Maui Prosecuting Attorney, AARP
Hawaii, Hawaii Bankers Association, and Hawaii Financial Services
Association supported the bill. The Consumer Data Industry
Association supported the intent of the bill. The American
Council of Life Insurers opposed the measure.



Your Committees have amended this bill by replacing its substance with that of H.B. No. 1826, H.D. 1, a measure that passed the House earlier this session. As amended, the bill differs from the S.D. 2 in that it:

- (1) Makes it a class C felony to steal three or more items of mail belonging to three or more unrelated persons in the same or separate incident as part of a common scheme or plan; and
- (2) Becomes effective on January 1, 2020.

As affirmed by the records of votes of the members of your Committees on Consumer Protection & Commerce and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2159, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2159, S.D. 2, H.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committees on Consumer
Protection & Commerce and
Judiciary,



SYLVIA LUKE, Chair



ROBERT N. HERKES, Chair



