

STAND. COM. REP. NO. 1383-06

Honolulu, Hawaii

April 4, 2006

RE: S.B. No. 2292
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. 2292, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO DESTRUCTION OF PERSONAL
INFORMATION RECORDS,"

beg leave to report as follows:

The purpose of this bill is to protect personal information
from theft and misuse, by requiring a business or government
agency that is discarding documents or other materials containing
personal information, to destroy the information.

The Department of Commerce and Consumer Affairs, Honolulu
Police Department, AARP Hawaii, and Hawaii Bankers Association
supported this bill. Hawaii Financial Services Association
supported the intent of this measure. The Consumer Data Industry
Association commented on this bill.

This bill contains two remedies for violations of the law by
business. A violation is actionable as an unfair or deceptive act
or practice in the conduct of trade or commerce. In addition,
persons injured may sue a business for the greater of actual
damages or \$500. Your Committees find that government should also
be held to its responsibilities under the law, and has amended
this bill to provide the same action for damages or \$500, against
government employees.

SB2292 HD1 HSCR CPC-JUD HMS 2006-3185



Your Committees have also amended this bill by:

- (1) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

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. 2292, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2292, 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



