

Honolulu, Hawaii

Ag: 127, 2006

RE: H.B. No. 1871
H.D. 1
S.D. 2
C.D. 1

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

Honorable Robert Bunda
President of the Senate
Twenty-Third State Legislature
Regular Session of 2006
State of Hawaii

Sir:

Your Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 1871, H.D. 1, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO CONSUMER CREDIT REPORTING AGENCIES,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this bill is to allow identity theft victims to place a security freeze on their credit reports to prohibit a consumer reporting agency from releasing the victim's information to unauthorized parties without the victim's express authorization.

Your Committee on Conference has amended this bill by, among other things:

- (1) Providing that the provisions regarding security freezes on a consumer's credit report do not apply to the use of the report by a person, for the sole purpose of providing

HB1871 CD1 HCCR HMS 2006-3780



the consumer a copy of the consumer's credit report upon the consumer's request;

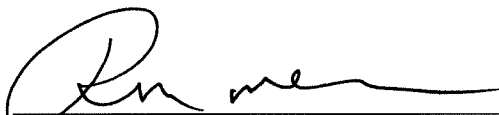
- (2) Replacing the penalty provisions for violations with provisions that:
- (A) Allow up to \$2,500 in penalties for each violation of the new chapter and authorize the Attorney General or the Executive Director of the Office of Consumer Protection to bring actions to enforce the chapter;
 - (B) Allow injured parties to bring actions against violators for actual damages caused by the violation;
 - (C) Allow reasonable attorneys' fees for prevailing parties in actions for damages; and
 - (D) Provide that the penalties are cumulative to the remedies or penalties available under all other laws of the State;
- and
- (3) Making technical, nonsubstantive amendments for clarity and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1871, H.D. 1, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1871, H.D. 1, S.D. 2, C.D. 1.

Respectfully submitted on behalf
of the managers:

ON THE PART OF THE SENATE

ON THE PART OF THE HOUSE



RON MENOR, Chair



SYLVIA LUKE, Co-Chair

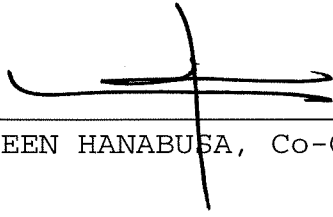


CAROL FUKUNAGA, Co-Chair



ROBERT N. HERKES, Co-Chair





COLLEEN HANABUSA, Co-Chair



Record of Votes of a Conference Committee

Bill / Concurrent Resolution No.: HB 1871, HD 1, SD 2	Date/Time: 4/27/06 6:00pm
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The recommendation of the House and Senate managers is to pass with amendments (CD).

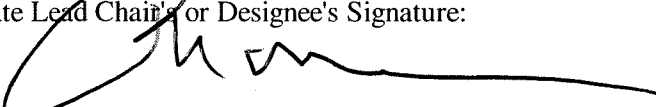

The Committee is reconsidering its previous decision.

<input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure	<input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.
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Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
MENOR, Ron, Chr.	X				LUKE, Sylvia, Co-Chr.	X			
FUKUNAGA, Carol, Co-Chr.	X				HERKES, Robert N., Co-Chr.	X			
HANABUSA, Colleen, Co-Chr.	X				MOSES, Mark S.	X			
BAKER, Rosalyn H.	X								
WHALEN, Paul	X								
TOTAL	5	0	0	0	TOTAL	3	0	0	0

A = Aye WR = Aye with Reservations N = Nay E = Excused

Senate Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted	House Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted
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Senate Lead Chair's or Designee's Signature: 	House Lead Chair's or Designee's Signature: 
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