

PROPOSED

THE SENATE
TWENTY-FOURTH LEGISLATURE, 2007
STATE OF HAWAII

S.B. NO. 331
S.D. 1

A BILL FOR AN ACT

RELATING TO ELECTRONIC DATA AND INFORMATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. (a) The legislature finds that despite a broad
2 range of identity theft legislation enacted by the 2006
3 legislature, identity theft remains a critical issue for Hawaii.
4 In fact, the recent revelation that personal data of 11,500
5 families enrolled in a program for low-income women and children
6 was at risk after a department of health employee allegedly
7 stole information from a client database has brought the problem
8 painfully home.

9 In 2006 legislative hearings on identity theft legislation,
10 the use of a social security number as a means of
11 identification, and the vulnerability of the information
12 relevant to the social security number was a recurring concern.

13 Act 140, Session Laws of Hawaii 2006, changed the name of
14 the Hawaii anti-phishing task force to the identity theft task
15 force and extended the duration of the task force to
16 December 31, 2007. With staffing and research assistance



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1 provided by the office of the auditor, the task force continues
2 to focus on:

- 3 (1) Examining state agencies charged with the
4 responsibility of developing policies, procedures, and
5 operations to prevent, monitor, and enforce electronic
6 commerce-based criminal activities and sanctions;
- 7 (2) Deriving best practice models from the review of other
8 jurisdictions' activities, policies, and laws related
9 to the prevention of electronic commerce-based crimes;
- 10 (3) Exploring other options available to the task force to
11 deter electronic commerce-based crimes from occurring
12 in the State; and
- 13 (4) Establishing findings and recommendations on
14 electronic commerce-based crime prevention.

15 (b) The purpose of this Act is to further these efforts
16 by:

- 17 (1) Ensuring the confidentiality of an individual's
18 identifying information that is stored by the public
19 sector, and increasingly available through electronic
20 means, by prohibiting all governmental agencies of the
21 State and county from displaying an individual's
22 social security number contained in all records or



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documents available for public inspection that are collected, created, or maintained by an agency; and

(2) Appropriating funds for the office of the auditor for continued research and support services necessary to develop additional deterrents for identity theft, and in particular, those related to the compromise of electronic data and information.

SECTION 2. Chapter 92, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and placed in Part V, to read as follows:

"§92- Public records; social security number. Effective
January 1, 2008, all governmental agencies of the State or its
political subdivisions may continue to collect, create, or
maintain records or documents containing an individual's social
security number in the course of carrying out the agency's
legitimate government functions or responsibilities, but shall
not display the social security number in any public record or
document available for public inspection."

SECTION 3. There is appropriated out of the general revenues of the State of Hawaii the sum of \$, or so much thereof as may be necessary for fiscal year 2007-2008, for research and support services necessary to develop additional



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1 deterrents for identity theft, and in particular, those related
2 to the compromise of electronic data and information.

3 The sum appropriated shall be expended by the office of the
4 auditor for the purposes of this section.

5 SECTION 4. New statutory material is underscored.

6 SECTION 5. This Act shall take effect on July 1, 2007.



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Report Title:

Electronic Data and Information; Identity Theft

Description:

Prohibits all governmental agencies of the State and county from displaying an individual's social security number contained in any record or document available for public inspection that is collected, created, or maintained by an agency; appropriates funds to the office of the auditor for research and support services necessary to develop additional deterrents for identity theft, and in particular, those related to the compromise of electronic data and information. (SD1)

