

Honolulu, Hawaii
March 19, 2008

RE: S.B. No. 2803
S.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fourth State Legislature
Regular Session of 2008
State of Hawaii

Sir:

Your Committees on Consumer Protection & Commerce and
Judiciary, to which was referred S.B. No. 2803, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO PERSONAL INFORMATION,"

beg leave to report as follows:

The purpose of this bill is to protect the personal
information collected and maintained by state and county agencies
through the implementation of the recommendations of the "Hawaii
Identity Theft Task Force Report" of December 2007. Specifically,
this measure:

- (1) Requires each state and county agency to designate an
employee to ensure the agency's compliance with
requirements relating to the security of personal
information;
- (2) Establishes the Information and Privacy Security Council
to be placed administratively within the Department of
the Attorney General and appropriates funds for three
staff analyst positions to support the Council;
- (3) Changes the effective date of Chapter 487J, Hawaii
Revised Statutes, relating to social security number
protection, to July 1, 2009;



- (4) Requires conditions on third party personal information use to be included in contracts between government agencies and third parties that provide support services on behalf of the agency;
- (5) Requires state and county agencies that collect, maintain, or disseminate documents with personal information to:
 - (A) Develop and implement a plan to protect the personal information; and
 - (B) Develop a written plan to eliminate unnecessary collection and use of social security numbers;
- (6) Requires state and county agencies responsible for human resource functions to develop and distribute to agencies, guidelines to minimize unauthorized access to personal information;
- (7) Requires state and government agencies to develop a written policy regarding notification of security breaches of personal information; and
- (8) Defines the terms: "government agency," "personal information," "personal information system," "records," and "security breach."

The Department of Education, Retail Merchants of Hawaii, Hawaii Financial Services Association, and a concerned individual testified in support of this bill. The Judiciary, Department of Accounting and General Services, Department of Personnel Services of the County of Maui, Department of Human Resources of the City and County of Honolulu, and Department of Human Resources of the County of Hawaii supported the intent of this measure. The Consumer Data Industry Association testified in opposition to this bill. The Attorney General, Department of Human Resources Development, Department of Finance of the County of Maui, and the University of Hawaii System provided comments.



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. 2803, S.D. 1, and recommend that it pass Second Reading and be referred to the Committee on Finance.

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



TOMMY WATERS, Chair



ROBERT N. HERKES, Chair



State of Hawaii
House of Representatives
The Twenty-fourth Legislature

1193.08

Record of Votes of the Committee on Consumer Protection & Commerce

Bill/Resolution No.: SB2803, SD1, (SSCR2679)	Committee Referral: CPC/JUD, FIN	Date: 03-13-08		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input checked="" type="checkbox"/> Pass, unamended (as is) <input type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
CPC Members	Ayes	Ayes (WR)	Nays	Excused
1. HERKES, Robert N. (C)	Y			
2. McKELVEY, Angus L.K. (VC)	Y			
3. EVANS, Cindy	Y			
4. GREEN, Josh, M.D.	Y			
5. ITO, Ken	Y			
6. LUKE, Sylvia	Y			
7. MORITA, Hermina M.				Y
8. SONSON, Alex M.				Y
9. SOUKI, Joseph M.				Y
10. TSUJI, Clift	Y			
11. YAMANE, Ryan I.	Y			
12. YAMASHITA, Kyle T.	Y			
13. MARUMOTO, Barbara C.		Y		
14. THIELEN, Cynthia				X
TOTAL (14)	13 9	1 1	0	4
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <small>_____ committee acronym(s)</small>				
Vice Chair's or designee's signature: _____				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office				

