

STAND. COM. REP. NO.

2574

Honolulu, Hawaii

FEB 28 2008

RE: S.B. No. 2745
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fourth State Legislature
Regular Session of 2008
State of Hawaii

Madam:

Your Committee on Judiciary and Labor, to which was referred
S.B. No. 2745 entitled:

"A BILL FOR AN ACT RELATING TO DEFAMATION,"

begs leave to report as follows:

The purpose of this measure is to establish that
communication of defamatory statements by telephone, facsimile,
electronic mail, or other computer communication meets the
requirement of publication for defamation actions.

Testimony in support of this measure was received from the
Hawaii State Coalition Against Domestic Violence and the Law
Offices of Marvin S.C. Dang, LLLC.

In testimony before this Committee, members have heard that
since April 2007, a number of Hawaii attorneys received thousands
of e-mails from an anonymous sender. The e-mails contain false,
derogatory, and defamatory messages about specific attorneys and
law offices, as well as politicians, and others. These e-mails
were also being sent to people outside the legal community and
falsely identified as coming from a specific attorney.

Your Committee finds that this measure will help to deter the
use of e-mails to defame, harass, and intimidate people.

Your Committee amended this measure by making a technical,
nonsubstantive amendment.

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Your Committee also has amended this measure by changing the effective date to July 1, 2050, for purposes of facilitating further discussion.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2745, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2745, S.D. 1.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Labor,




BRIAN T. TANIGUCHI, Chair



The Senate
 Twenty-Fourth Legislature
 State of Hawaii

Record of Votes
Committee on Judiciary and Labor
JDL

Bill / Resolution No.:* SB 2745	Committee Referral: EDT, JDL	Date: 2-22-09		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
TANIGUCHI, BRIAN T. (C)	✓			
HEE, Clayton (VC)				✓
GABBARD, Mike	✓			
KOKUBUN, Russell S.				✓
NISHIHARA, Clarence K.	✓			
SLOM, Sam	✓			
TOTAL	4	0	0	2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes