

STAND. COM. REP. NO.

770

Honolulu, Hawaii

MAR 06 2009

RE: S.B. No. 1005
S.D. 2

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Madam:

Your Committee on Judiciary and Government Operations, to which was referred S.B. No. 1005, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO PUBLICITY RIGHTS,"

begs leave to report as follows:

The purpose of this measure is to establish a property right in the commercial use of a person's name, voice, signature, photograph, or likeness.

Your Committee finds that protecting an individual or personality's publicity rights is imperative for writers, composers, and recording artists in Hawaii. These persons deserve to have confidence that the laws of Hawaii protect the commercial value of their name, voice, signature, photograph, or likeness.

Your Committee also finds that this measure tempers the exploitation of the names, signatures, voices, and photographs of a deceased individual or personality without any compensation to their heirs.

Your Committee has amended this measure by making the application of the chapter prospective to August 1, 2009, in the interests of avoiding ambiguity over the time of accrual of any property right.

As affirmed by the record of votes of the members of your Committee on Judiciary and Government Operations that is attached to this report, your Committee is in accord with the intent and

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purpose of S.B. No. 1005, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1005, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Government Operations,



BRIAN T. TANIGUCHI, Chair



