

STAND. COM. REP. NO. 296

Honolulu, Hawaii
Feb 18, 2009

RE: H.B. No. 1359
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which
was referred H.B. No. 1359 entitled:

"A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION,"

begs leave to report as follows:

The purpose of this bill is to prohibit the Office of
Consumer Protection (Office) from publicly disclosing consumer
complaints that have been investigated and resolved by the Office
in favor of the person against whom the complaint was filed.

D & E Kawelo Construction, Inc., testified in support of this
bill. The Department of Commerce and Consumer Affairs and a
concerned individual opposed this measure. The Office of
Information Practices provided comments.

While this bill appears to address situations where a
business's reputation may be harmed by the filing of meritless
consumer complaints, there are concerns that denying public access
to a complete record of complaints, regardless of disposition,
could significantly hamper the ability of consumers to make
informed decisions.

Accordingly, your Committee has amended this bill by changing
the effective date to January 1, 2020, to encourage further
discussion. Technical, nonsubstantive amendments were also made
for clarity and style.

HB1359 HD1 HSCR CPC HMS 2009-2103



As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1359, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1359, H.D. 1, and be referred to the Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Consumer
Protection & Commerce,



ROBERT N. HERKES, Chair



