

STAND. COM. REP. NO. 674 -12

Honolulu, Hawaii
March 1, 2012

RE: H.B. No. 1776
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1776 entitled:

"A BILL FOR AN ACT RELATING TO COMMUNICATION SERVICE PROVIDERS,"

begs leave to report as follows:

The purpose of this measure is to allow governmental entities to access electronic communications from a communication service provider when an emergency involving danger of death or serious physical injury to a subscriber exists.

The Department of the Prosecuting Attorney of the City and County of Honolulu and Citizens Against Crooked Politicians provided testimony in support of this measure. The American Civil Liberties Union testified in opposition to this measure.

Your Committee has amended this measure by:

- (1) Inserting language requiring certification of the emergency by the governmental entity;
- (2) Changing the effective date to January 7, 2059, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

HB1776 HD1 HSCR JUD HMS 2012-2088



As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1776, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1776, H.D. 1, and be placed on the calendar for Third Reading.

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



GILBERT KEITH-AGARAN, Chair



