

Honolulu, Hawaii

APR 05 2012

RE: H.B. No. 2295
H.D. 1
S.D. 2

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committee on Judiciary and Labor, to which was referred
H.B. No. 2295, H.D. 1, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CYBERBULLYING,"

begs leave to report as follows:

The purpose and intent of this measure is to address the
increase in cyberbullying by:

- (1) Establishing that knowingly using a computer to perform certain acts against a victim or intended victim of harassment under section 711-1106, Hawaii Revised Statutes, or harassment by stalking under section 711-1106.5, Hawaii Revised Statutes, constitutes the offense of use of a computer in the commission of a separate crime; and
- (2) Clarifying that the offense of use of a computer in the commission of a separate crime also includes knowingly using a computer to pursue, survey, contact, harass, annoy, or alarm a victim or intended victim.

Your Committee received testimony in support of this measure from one private individual.

Your Committee finds that this measure assists in combating cyberbullying and preventing the emotional harm caused by the dissemination of personal information of an individual, whether



true or false, via the Internet or wireless cellular communication. These actions can be as harmful as offensive physical contact or face-to-face insults, taunts, or challenges.

Your Committee has amended this measure by:

- (1) Replacing "survey" with "surveil" under the offense of use of a computer in the commission of a separate crime; and
- (2) Changing the effective date from January 7, 2059, to upon approval.

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 H.B. No. 2295, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2295, H.D. 1, S.D. 2.

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



CLAYTON HEE, Chair



