

STAND. COM. REP. NO.

2148

Honolulu, Hawaii

FEB 14 2012

RE: S.B. No. 2066

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

Sir:

Your Committee on Economic Development and Technology, to which was referred S.B. No. 2066 entitled:

"A BILL FOR AN ACT RELATING TO UNAUTHORIZED COMPUTER ACCESS,"

begs leave to report as follows:

The purpose and intent of this measure is to amend sections 708-895.5, 708-895.6, and 708-895.7, Hawaii Revised Statutes, to:

- (1) Raise the minimum monetary value from \$5,000 to \$20,000, if unauthorized computer access in the first degree is charged based on the monetary value of information obtained;
- (2) Increase unauthorized computer access in the first degree from a class B to a class A felony;
- (3) Increase unauthorized computer access in the second degree from a class C to a class B felony; and
- (4) Increase unauthorized computer access in the third degree from a misdemeanor to a class C felony.

Your Committee received testimony in support of this measure from the Department of the Prosecuting Attorney of the City and County of Honolulu. Your Committee received comments on this measure from the University of Hawaii System.

Your Committee finds that as society becomes increasingly reliant on the Internet for the storage and transfer of valuable



and confidential information, it becomes equally tempting for would-be "hackers" to access computer networks and information systems without authorization. Expanding internet connectivity and the proliferation of mobile devices, such as tablets and smartphones, combined with the modern ease of creating or obtaining malware, have resulted in the rapid growth of online criminal activity.

Your Committee further finds that stricter penalties for unauthorized computer access will not only present a stronger deterrent for unauthorized computer access, but also emphasize to the public and would-be offenders that these types of activities will not be tolerated.

As affirmed by the record of votes of the members of your Committee on Economic Development and Technology that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2066 and recommends that it pass Second Reading and be referred to the Committee on Judiciary and Labor.

Respectfully submitted on  
behalf of the members of the  
Committee on Economic  
Development and Technology,

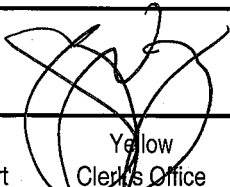


CAROL FUKUNAGA, Chair



The Senate  
Twenty-Sixth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Economic Development and Technology**  
**EDT**

Bill / Resolution No.:* <b>SB 2066</b>	Committee Referral: <b>EDT, JDL</b>	Date: <b>2/10/12</b>		
<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 checked="" type="checkbox"/> Pass, unamended 2312 <input type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
FUKUNAGA, Carol (C)	✓			
WAKAI, Glenn (VC)	✓			
BAKER, Rosalyn H.				✓
SOLOMON, Malama	✓			
SLOM, Sam	✓			
<b>TOTAL</b>	<b>4</b>	<b>0</b>	<b>0</b>	<b>1</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b> Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy				

\*Only one measure per Record of Votes