

Honolulu, Hawaii

FEB 13 2014

RE: S.B. No. 2791

Honorable Donna Mercado Kim  
President of the Senate  
Twenty-Seventh State Legislature  
Regular Session of 2014  
State of Hawaii

Madam:

Your Committees on Technology and the Arts and Commerce and Consumer Protection, to which was referred S.B. No. 2791 entitled:

"A BILL FOR AN ACT RELATING TO CRIME,"

beg leave to report as follows:

The purpose and intent of this measure is to address issues that have arisen due to the use of new technology by making the following criminal offenses applicable to electronic or digital statements, documents, or records:

- (1) Falsifying business records;
- (2) Obtaining a government-issued identification document under false pretenses in the first degree;
- (3) Obtaining a government-issued identification document under false pretenses in the second degree;
- (4) Tampering with a government record; and
- (5) Unsworn falsification to authorities.

Your Committees received testimony in support of this measure from the Department of the Attorney General.

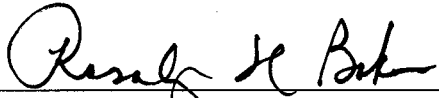
Your Committees find that with current technology, many transactions are handled electronically and records are often kept in electronic or digital form. In 2000, Hawaii adopted the Uniform Electronic Transactions Act, chapter 489E, Hawaii Revised



Statutes, to recognize the need to establish the legal validity of electronic records, signatures, and contracts. However, criminal offenses have not been updated to take into account the prevalent use of new technology and the consequent use of new technology to commit a variety of crimes. This measure protects consumers by making relevant criminal offenses applicable to electronic or digital statements, documents, or records.

As affirmed by the records of votes of the members of your Committees on Technology and the Arts and Commerce and Consumer Protection that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2791 and recommend that it pass Second Reading and be referred to the Committee on Judiciary and Labor.

Respectfully submitted on  
behalf of the members of the  
Committees on Technology and  
the Arts and Commerce and  
Consumer Protection,



ROSALYN H. BAKER, Chair




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GLENN WAKAI, Chair



The Senate  
 Twenty-Seventh Legislature  
 State of Hawai'i

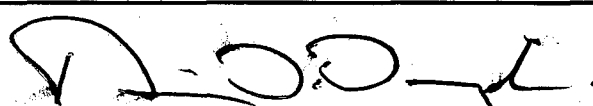
**Record of Votes**  
**Committee on Technology and the Arts**  
**TEC**

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 2791	TEC/CPN, JDL	02/11/14		
<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
WAKAI, Glenn (C)	/			
NISHIHARA, Clarence K. (VC)	/			
IHARA, Les	/			
TOKUDA, Jill N.	/			
SLOM, Sam				/
<b>TOTAL</b>	4			1
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

The Senate  
 Twenty-Seventh Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Commerce and Consumer Protection**  
**CPN**

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 2791	TEC/CPN, JDL	2/6/14		
<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 checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
BAKER, Rosalyn H. (C)	✓			
TANIGUCHI, Brian T. (VC)	✓			
NISHIHARA, Clarence K.				✓
WAKAI, Glenn	✓			
SLOM, Sam				✓
<b>TOTAL</b>	3	0	0	2
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				

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