



GOV. MSG. NO. 1109

EXECUTIVE CHAMBERS  
HONOLULU

DAVID Y. IGE  
GOVERNOR

April 21, 2016

The Honorable Ronald D. Kouchi,  
President  
and Members of the Senate  
Twenty-Eighth State Legislature  
State Capitol, Room 409  
Honolulu, Hawai'i 96813

The Honorable Joseph M. Souki,  
Speaker and Members of the  
House of Representatives  
Twenty-Eighth State Legislature  
State Capitol, Room 431  
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Souki, and Members of the Legislature:

This is to inform you that on April 21, 2016, the following bill was signed into law:

HB2639

RELATING TO WIRELESS  
TELECOMMUNICATIONS SERVICE  
ACT 009 (16)

Sincerely,

DAVID Y. IGE  
Governor, State of Hawai'i

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# A BILL FOR AN ACT

RELATING TO WIRELESS TELECOMMUNICATIONS SERVICE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 269-16.93, Hawaii Revised Statutes, is  
2 amended as follows:

3 " [†]§269-16.93 [†] Release of domestic [~~violence~~] abuse  
4 victims from shared wireless plans. (a) All wireless  
5 telecommunications service providers shall release, without  
6 charge, penalty, or fee, any victim of domestic [~~violence~~] abuse  
7 from a shared or family wireless service contract involving the  
8 victim's abuser; provided that the victim submits an opt-out  
9 request in writing and with evidence of domestic [~~violence~~]  
10 abuse as documented by any of the following items:

- 11 (1) Valid police report documenting an instance or series  
12 of instances of domestic [~~violence~~] abuse;
- 13 (2) Order for protection granted pursuant to chapter 586;  
14 or
- 15 (3) Signed affidavit from a licensed medical or mental  
16 health care provider, employee of a court acting



1           within the scope of their employment, or social  
2           worker.

3           (b) [Any] When a victim of domestic [violence who] abuse  
4           submits an opt-out request to a wireless telecommunications  
5           service provider pursuant to subsection (a) ~~[may further request~~  
6           ~~a substitute or new phone number or alternative~~  
7           ~~telecommunications service. Upon such request]~~, the wireless  
8           telecommunications service provider shall ~~[provide a substitute~~  
9           ~~or new phone number or alternative telecommunications service~~  
10          ~~without charge, penalty, or fee and within twenty four]~~, within  
11          forty-eight hours from the time the opt-out request is submitted  
12          to the wireless telecommunications service provider[-]:

13          (1) Transfer the billing authority and all rights to the  
14          wireless telephone number or numbers of a shared  
15          wireless plan to the person who has been granted the  
16          release pursuant to subsection (a); or  
17          (2) Remove or release the person, who has been granted the  
18          release pursuant to subsection (a), from a shared  
19          wireless plan and assign a substitute telephone number  
20          or numbers,  
21          without charge, penalty, or fee.



1        (c) A cause of action shall not lie against any wireless  
2 telecommunications service provider, its officers, employees, or  
3 agents for the actions taken that are related to the transfer of  
4 the billing authority and rights to the wireless telephone  
5 number or numbers in accordance with this section.

6        [~~e~~] (d) For purposes of this section:

7        "Domestic [~~violence~~] abuse" shall have the same meaning as  
8 in section [~~321-471.~~] 586-1.

9        "Wireless telecommunications service" shall have the same  
10 meaning as "commercial mobile radio service" as defined in title  
11 47 Code of Federal Regulations section 20.3.

12        "Wireless telecommunications service provider" means a  
13 provider of wireless telecommunications service."

14        SECTION 2. Section 586-5.8, Hawaii Revised Statutes, is  
15 amended as follows:

16        1. By amending the title to read:

17        "[+]§586-5.8[+] Transfer or release of domestic [~~violence~~]  
18 abuse victims from shared wireless plans."

19        2. By amending subsection (d) to read:

20        "(d) For purposes of this section:



1 ~~["Domestic violence" shall have the same meaning as in~~  
2 ~~section 321-471.]~~

3 "Wireless telecommunications service" shall have the same  
4 meaning as "commercial mobile radio service" as defined in title  
5 47 Code of Federal Regulations section 20.3.

6 "Wireless telecommunications service provider" means a  
7 provider of wireless telecommunications service."

8 SECTION 3. Statutory material to be repealed is bracketed  
9 and stricken. New statutory material is underscored.

10 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY:

Debra A. Peltti

Linda Lehman

Brenda Koljeshi

Nicole E. Lowe

Cindy Evans

[Signature]

Lyn DeCorte

[Signature]  
JAN 27 2016



H.B. NO. 2639

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APPROVED this 21 day of APR, 2016

A handwritten signature in black ink, appearing to read "David Ige". The signature is fluid and cursive, with a large, sweeping flourish under the "I" and "g".

GOVERNOR OF THE STATE OF HAWAII

HB No. 2639

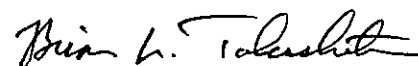
THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: March 3, 2016  
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Third Reading in the House of Representatives of the Twenty-Eighth Legislature of the State of Hawaii, Regular Session of 2016.



Joseph M. Souki  
Speaker  
House of Representatives



Brian L. Takeshita  
Chief Clerk  
House of Representatives

THE SENATE OF THE STATE OF HAWAII

Date: APR 05 2016  
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Third Reading in the Senate of the Twenty-Eighth Legislature of the State of Hawaii, Regular Session of 2016.



Ronald D. Kouchi  
President of the Senate



Carol Taniguchi  
Clerk of the Senate