
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 " [f]§269-16.93 [f] 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.

11

INTRODUCED BY:

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H.B. NO. 2639

Report Title:

Wireless Telecommunications; Domestic Abuse

Description:

Requires a wireless telecommunications service provider, upon request by a domestic abuse victim, to: (1) transfer billing authority and all rights to a wireless telephone number to the victim; or (2) remove or release the victim from a shared wireless plan and assign the victim a substitute telephone number without charge, penalty, or fee. Provides that there is no cause of action against a wireless telecommunications service provider, its officers, employees, or agents for transferring billing authority and all rights to a wireless telephone number to a domestic abuse victim.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

