

Honolulu, Hawaii

MAR 2 1 2016

RE: H.B. No. 2639

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2016
State of Hawaii

Sir:

Your Committee on Commerce, Consumer Protection, and Health,
to which was referred H.B. No. 2639 entitled:

"A BILL FOR AN ACT RELATING TO WIRELESS TELECOMMUNICATIONS
SERVICE,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Require a wireless telecommunications service provider that receives an opt-out request from a victim of domestic abuse to transfer the billing authority and all rights to the shared wireless plan to the victim or remove the victim from the shared wireless plan and assign the victim a substitute telephone number, without charge, penalty, or fee;
- (2) Specify 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; and
- (3) Expand acts of abuse, the victims of which may be eligible for protections under this measure.

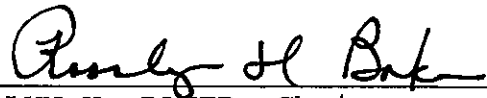
Your Committee received testimony in support of this measure from the Hawaii State Coalition Against Domestic Violence, AT&T, Sprint, and Verizon. Your Committee received comments on this measure from the Domestic Violence Action Center.



Your Committee finds that victims of domestic abuse often find themselves struggling to escape their abusive situations. The financial and contractual obligations associated with wireless plans often act as a barrier that prevents a domestic abuse survivor from leaving an abusive relationship. Act 219, Session Laws of Hawaii 2015 (Act 219), addressed these barriers by, among other things, requiring wireless telecommunications service providers to release domestic violence victims from shared service plans upon request and with documentation. This measure expands on the requirements of Act 219 by: providing necessary liability protection for wireless telecommunications service providers who transfer the wireless telephone number of a victim of domestic abuse; providing wireless telecommunications service providers with a reasonable deadline to complete the transfer or change of service for a victim of domestic abuse; and ensuring that the transfer of billing authority or removal or release of a victim of domestic abuse from a wireless plan is done without charge, penalty, or fee.

As affirmed by the record of votes of the members of your Committee on Commerce, Consumer Protection, and Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2639, and recommends that it pass Second Reading and be referred to your Committee on Judiciary and Labor.

Respectfully submitted on
behalf of the members of the
Committee on Commerce, Consumer
Protection, and Health,

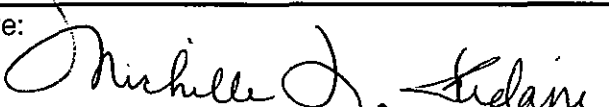


ROSALYN H. BAKER, Chair



The Senate
 Twenty-Eighth Legislature
 State of Hawai'i

Record of Votes
Committee on Commerce, Consumer Protection, and Health
CPH

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 2639	CPH, JDL	3-14-16		
<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
BAKER, Rosalyn H. (C)	/			
KIDANI, Michelle N. (VC)	/			
ESPERO, Will	/			
IHARA, Jr., Les				/
NISHIHARA, Clarence K.	/			
RUDERMAN, Russell E.	/			
SLOM, Sam				/
TOTAL	5			2
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original	Yellow	Pink	Goldenrod	
File with Committee Report	Clerk's Office	Drafting Agency	Committee File Copy	

*Only one measure per Record of Votes