March 24, 2016

RE: S.B. No. 2298

S.D. 1 H.D. 1

Honorable Joseph M. Souki Speaker, House of Representatives Twenty-Eighth State Legislature Regular Session of 2016 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 2298, S.D. 1, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE UNIFORM FIDUCIARY ACCESS TO DIGITAL ASSETS ACT,"

begs leave to report as follows:

The purpose of this measure is to adopt the Uniform Fiduciary Access to Digital Assets Act (2015). Specifically, this measure:

- (1) Authorizes an internet services user to establish a plan for the management and disposition of the user's electronic records, known as digital assets, following the user's death or incapacity;
- (2) Establishes procedures for custodians of digital assets to disclose users' digital assets;
- (3) Provides limitations on how digital assets may be used by a fiduciary following a user's death or incapacity; and
- (4) Grants immunity to custodians of records for compliance with the Act.

The Commission to Promote Uniform Legislation; Google; Facebook, Inc.; and State Privacy & Security Coalition, Inc. supported this measure.

SB2298 HD1 HSCR JUD HMS 2016-2935.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2298, S.D. 1, H.D. 1, and recommends that it be referred to your Committee on Finance.

Respectfully submitted on behalf of the members of the Committee on Judiciary,

KARL RHOADS, Chair

## State of Hawaii House of Representatives The Twenty-eighth Legislature

## Record of Votes of the Committee on Judiciary

	ittee Referral: -, JUD, FIN	) Da	te: 03/22	2/16
The committee is reconsidering its previous decision on the measure.				
The recommendation is to:  Pass, unamended (as is)  Pass, with amendments (HD)  Hold  Pass short form bill with HD to recommit for future public hearing (recommit)				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. RHOADS, Karl (C)				1
2. SAN BUENAVENTURA, Joy A. (VC)	<u> </u>			
3. BELATTI, Della Au	V			
4. BROWER, Tom	V V			
5. CREAGAN, Richard P.				
6. HASHEM, Mark J.				
7. KAWAKAMI, Derek S.K.				
8. LEE, Chris				
9. MORIKAWA, Dee				
10. NAKASHIMA, Mark M.				
11. TAKAYAMA, Gregg				
12. WOODSON, Justin H.				
13. McDERMOTT, Bob	~	: 		
14. THIELEN, Cynthia				
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TOTAL (14)	11	0		3
The recommendation is: Adopted	Nat Ada to			
The recommendation is:  Adopted  If joint referral,  committee acronym(s)  One Adopted  did not support recommendation.				
Vice Chair's or designee's signature:				
Distribution: Original (White) Committee Duplicate (Yellow) Chief Clerk's Office Duplicate (Pink) HMSO				