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TO THE HOUSE COMMITTEE ON
CONSUMER PROTECTION AND COMMERCE

TWENTY-NINTH LEGISLATURE
Regular Session of 2018

Friday, February 2, 2018
2:00 p.m.

TESTIMONY ON HOUSE BILL NO. 2311, RELATING TO FOUND ELECTRONIC DEVICES.

TO THE HONORABLE ROY M. TAKUMI, CHAIR, AND MEMBERS OF THE COMMITTEE:

The Department of Commerce and Consumer Affairs (“Department”) appreciates the opportunity to testify on H.B. 2311, Relating to Found Electronic Devices. My name is Stephen Levins, and I am the Executive Director of the Department’s Office of Consumer Protection. The Department supports this administration bill, which is a companion to S.B. 2738.

This bill proposes to protect personal information stored on an unclaimed personal electronic device by requiring law enforcement agencies to remove personal information, such as credit card numbers and account passwords, from the device before providing it to a finder or disposing the device at a public auction or by other means.

Currently, Hawaii law requires local and state government agencies to provide unclaimed property to a finder forty-five days after the device is turned in. A majority of lost and unclaimed property includes personal electronic devices, such as cell phones and laptops, that contain personal information and potentially expose the person who

lost the device to identity theft. The Department believes this bill will promote the security of an individual's personal information and assist in preventing identity theft.

Thank you for the opportunity to testify in support of this administration bill.

DAVID Y. IGE
GOVERNOR



TODD NACAPUY
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Testimony of
TODD NACAPUY
Chief Information Officer, State of Hawai'i

Before the

HOUSE COMMITTEE ON CONSUMER PROTECTION & COMMERCE

Friday, February 2, 2018

2:00 p.m.

State Capitol, Conference Room 329

HOUSE BILL NO. 2311
RELATING TO CYBERSECURITY

Chair Tokumi, Vice Chair Ichiyama and members of the committee:

I am Todd Nacapuy, Chief Information Officer of the State of Hawai'i and head of the Office of Enterprise Technology Services (ETS), testifying in **support** of House Bill No. 2311, Relating to Found Electronic Devices, which extends protection of personal information on unclaimed electronic devices.

I am testifying today in my capacity as Chair of the State Information Privacy and Security Council which has requested this bill to permit law enforcement agencies to take necessary steps to digitally sanitize electronic devices that may contain personal information before the unclaimed property is provided to finders or disposed by public auction or other means.

Currently, some local and state government agencies, including county law enforcement agencies, are required under HRS 52D-14 and 261-17.7 to provide unclaimed property to finders as found after forty-five days. Given that cell phones, computers and other such electronic devices may contain personal information, the Information Privacy and Security Council recommends that Hawaii state law be amended to keep pace with technology so that personal information is protected.

Thank you for this opportunity to testify in support of this bill.