

Honolulu, Hawaii

FEB - 1 2022

RE: S.B. No. 2212
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2022
State of Hawaii

Sir:

Your Committee on Energy, Economic Development, and Tourism,
to which was referred S.B. No. 2212 entitled:

"A BILL FOR AN ACT RELATING TO ROBOCALLS,"

begs leave to report as follows:

The purpose and intent of this measure is to hold telecommunication service providers and third-party spoofing providers accountable by making certain robocalls and spoofing unlawful.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs' Office of Consumer Protection and one individual. Your Committee received comments on this measure from the Department of the Attorney General and Hawaiian Telcom.

Your Committee finds that this measure is necessary to combat the increase in consumer fraud through robocalls and spoofing. Your Committee acknowledges testimony from the Department of the Attorney General, commenting that this measure may violate the dormant Commerce Clause. However, your Committee believes that the privacy and protection of our citizens, especially vulnerable kupuna, are paramount and notes that within the past two years, other states, such as Arkansas, Kentucky, Maine, Nebraska, Tennessee, and Virginia, have already passed legislation to



address robocalls, caller ID spoofing, and other telemarketing issues.

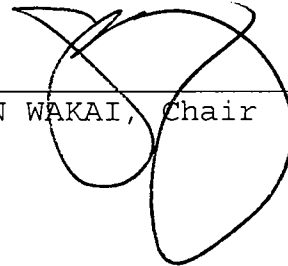
Your Committee has amended this measure by:

- (1) Providing an exemption for voice service providers that comply with the federal Pallone-Thune TRACED Act (2019), which expanded the Federal Communications Commission's authority to combat robocall and spoofing violations; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Energy, Economic Development, and Tourism that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2212, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2212, S.D. 1, and be referred to your Committees on Commerce and Consumer Protection and Judiciary.


Respectfully submitted on
behalf of the members of the
Committee on Energy, Economic
Development, and Tourism,

GLENN WAKAI, Chair

A handwritten signature in black ink, consisting of several overlapping loops and curves, positioned over a horizontal line.

The Senate
Thirty-First Legislature
State of Hawai'i

Record of Votes
Committee on Energy, Economic Development, and Tourism
EET

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 2212	EET, CPN/JDC	1/28/22		
<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 type="checkbox"/> Pass, unamended 2312	<input checked="" type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310		
<input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
WAKAI, Glenn (C)	✓			
MISALUCHA, Bennette E. (VC)	✓			
LEE, Chris	✓			
RIVIERE, Gil	✓			
FEVELLA, Kurt	Pm Wm		✓	
TOTAL	4	0	1	0
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