



GOV. MSG. NO. 1297

EXECUTIVE CHAMBERS  
KE KE'ENA O KE KIA'ĀINA

JOSH GREEN, M.D.  
GOVERNOR  
KE KIA'ĀINA

July 3, 2023

The Honorable Ronald D. Kouchi  
President of the Senate,  
and Members of the Senate  
Thirty-Second State Legislature  
State Capitol, Room 409  
Honolulu, Hawai'i 96813

The Honorable Scott K. Saiki  
Speaker, and Members of the  
House of Representatives  
Thirty-Second State Legislature  
State Capitol, Room 431  
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

This is to inform you that on July 3, 2023, the following bill was signed into law:

SB478 SD2 HD1 CD1

RELATING TO TELECOMMUNICATIONS AND  
CABLE INDUSTRY INFORMATION REPORTING.  
**ACT 194**

Sincerely,

Josh Green, M.D.  
Governor, State of Hawai'i

on JUL 3 2023

ACT 194

THE SENATE  
THIRTY-SECOND LEGISLATURE, 2023  
STATE OF HAWAII

S.B. NO. 478  
S.D. 2  
H.D. 1  
C.D. 1

# A BILL FOR AN ACT

RELATING TO TELECOMMUNICATIONS AND CABLE INDUSTRY INFORMATION REPORTING.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 206R-1, Hawaii Revised Statutes, is  
2 amended by amending the definitions of "broadband  
3 infrastructure" and "broadband service" to read as follows:

4 "Broadband infrastructure" [~~shall have the same meaning~~  
5 ~~as in section 440J-1.~~] means the medium used to provide  
6 broadband service, including fiber optic cable, copper cable,  
7 coaxial cable, and wireless media, such as satellite  
8 communications, wireless networks, and worldwide  
9 interoperability for microwave access.

10 "Broadband service" [~~shall have the same meaning as~~  
11 ~~"broadband access or broadband service" in section 440J-1.~~]  
12 means an always-on service that includes but is not limited  
13 to computer processing capabilities, information provision,  
14 and computing interactivity with data transport, which  
15 enables end users to access the Internet and use a variety of  
16 applications at minimum speeds established by the Federal  
17 Communications Commission. "Broadband service" does not



1 include wireless network infrastructure or facilities used to  
2 provide wireless services over licensed spectrum."

3 SECTION 2. Section 356D-11.5, Hawaii Revised Statutes, is  
4 amended by amending subsection (b) to read as follows:

5 "(b) As used in this section:

6 "Broadband infrastructure" [~~has the same meaning as in~~  
7 ~~section 440J-1.~~] means the medium used to provide broadband  
8 service, including fiber optic cable, copper cable, coaxial  
9 cable, and wireless media, such as satellite communications,  
10 wireless networks, and worldwide interoperability for microwave  
11 access.

12 "Broadband service" [~~has the same meaning as "broadband~~  
13 ~~access or broadband service" in section 440J-1.~~] means an  
14 always-on service that includes but is not limited to  
15 computer processing capabilities, information provision, and  
16 computing interactivity with data transport, which enables  
17 end users to access the Internet and use a variety of  
18 applications at minimum speeds established by the Federal  
19 Communications Commission. "Broadband service" does not  
20 include wireless network infrastructure or facilities used to  
21 provide wireless services over a licensed spectrum.



1 "State low-income housing project" has the same meaning as  
2 in section 356D-51."

3 SECTION 3. Section 481-9.5, Hawaii Revised Statutes, is  
4 amended by amending subsection (j) to read as follows:

5 "(j) This section shall not apply to any:

6 (1) Financial institution subject to chapter 412 to the  
7 extent that the financial institution is engaged in  
8 activities regulated pursuant to chapter 412;

9 (2) Insurer subject to chapter 431, 432, or 432D to the  
10 extent that the insurer is engaged in activities  
11 regulated pursuant to those chapters;

12 (3) Telecommunications provider subject to chapter 269;  
13 and

14 (4) Cable operator subject to chapter 440G [~~or 440J~~] to  
15 the extent that the provider is engaged in activities  
16 regulated pursuant to [~~these chapters~~] chapter 440G or  
17 the Federal Communications Commission."

18 SECTION 4. Chapter 440J, Hawaii Revised Statutes, is  
19 repealed.

20 SECTION 5. Statutory material to be repealed is bracketed  
21 and stricken. New statutory material is underscored.



1 SECTION 6. This Act shall take effect upon its approval.

APPROVED this 3rd day of July, 2023




GOVERNOR OF THE STATE OF HAWAII

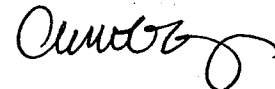


**THE SENATE OF THE STATE OF HAWAI‘I**

Date: May 2, 2023  
Honolulu, Hawai‘i 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the Senate of the Thirty-Second Legislature of the State of Hawai‘i, Regular Session of 2023.

  
President of the Senate

  
Clerk of the Senate

SB No. 478, SD 2, HD 1, CD 1

THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: May 2, 2023  
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Thirty-Second Legislature of the State of Hawaii, Regular Session of 2023.



Scott K. Saiki  
Speaker  
House of Representatives



Brian L. Takeshita  
Chief Clerk  
House of Representatives