

Honolulu, Hawaii

APR 24 2012

RE: S.B. No. 2419
S.D. 2
H.D. 3
C.D. 1

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sirs:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 2419, S.D. 2, H.D. 3, entitled:

"A BILL FOR AN ACT RELATING TO PERSONAL INFORMATION,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to protect personal information while providing reasonable access in certain circumstances by allowing the scanning of personal information contained in a Hawaii identification card or driver's license for limited purposes only.

Your Committee on Conference finds that information contained on an individual's identification card or driver's license can be a source of identity theft. Because identity theft can have lasting negative repercussions on the life of the person whose identity is stolen, it is important to minimize the widespread use of this personal information. Your Committee on Conference further finds that a balance must be obtained between permitting responsible



entities to lawfully use an individual's personal information while also protecting the privacy interests of individuals.

This measure addresses this issue by prohibiting the random scanning of a Hawaii identification card or driver's license by Hawaii businesses, prohibiting retention of any personal information obtained through scanning except in specific circumstances, and prohibiting businesses from selling or otherwise disseminating information obtained by scanning an individual's Hawaii identification card or driver's license to a third party.

Your Committee on Conference has amended this measure by:

- (1) Changing references to an "identity card" to "identification card", in order to clarify the forms of identification subject to this measure and conform to the definition of "personal information" in section 487N-1, Hawaii Revised Statutes; and
- (2) Inserting an effective date of upon approval.

Your Committee on Conference notes that this amended measure is the result of a compromise by various interested stakeholders affected by this measure.


As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2419, S.D. 2, H.D. 3, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2419, S.D. 2, H.D. 3, C.D. 1.



Respectfully submitted on behalf
of the managers:

ON THE PART OF THE HOUSE

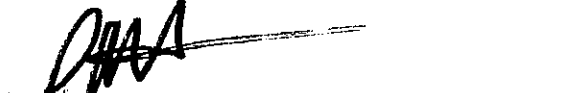
ON THE PART OF THE SENATE



JOSEPH M. SOUKI, Co-Chair



ROSALYN H. BAKER, Chair



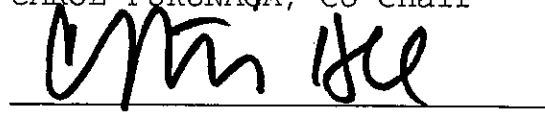
ANGUS L.K. MCKELVEY, Co-Chair



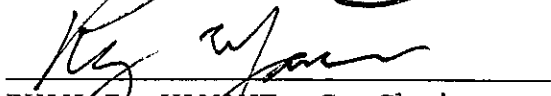
CAROL FUKUNAGA, Co-Chair



GILBERT KEITH-AGARAN, Co-Chair



CLAYTON HEE, Co-Chair



RYAN I. YAMANE, Co-Chair



Hawaii State Legislature

Record of Votes of a
Conference Committee

Bill / Concurrent Resolution No.: SB 2419, SD 2, HD 3					Date/Time: <i>7-20-2012 10:10 Am</i>						
<input checked="" type="checkbox"/> The recommendation of the House and Senate managers is to pass with amendments (CD).											
<input type="checkbox"/> The Committee is reconsidering its previous decision.											
<input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure					<input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.						
Senate Managers		A	WR	N	E	House Managers		A	WR	N	E
BAKER, Rosalyn H., Chr.		✓				SOUKI, Joseph M., Co-Chr.		✓			
FUKUNAGA, Carol, Co-Chr.		✓				MCKELVEY, Angus L.K., Co-Chr.		✓			
HEE, Clayton, Co-Chr.					✓	KEITH-AGARAN, Gilbert S.C., Co-Chr.		✓			
TANIGUCHI, Brian T.		✓				YAMANE, Ryan I., Co-Chr.		✓			
SLOM, Sam		✓				FONTAINE, George R.		✓			
TOTAL		4	0	0	1	TOTAL		5	0	0	0
A = Aye		WR = Aye with Reservations			N = Nay		E = Excused				
Senate Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted						House Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted					
Senate Lead Chair's or Designee's Signature: <i>Rosalyn H. Baker</i>						House Lead Chair's or Designee's Signature: <i>Joseph M. Souki</i>					
Distribution:		Original <i>File with Conference Committee Report</i>			Yellow <i>House Clerk's Office</i>		Pink <i>Senate Clerk's Office</i>		Goldenrod <i>Drafting Agency</i>		