

STAND. COM. REP. NO. 2444

Honolulu, Hawaii

FEB 14 2014

RE: S.B. No. 2097

Honorable Donna Mercado Kim
President of the Senate
Twenty-Seventh State Legislature
Regular Session of 2014
State of Hawaii

Madam:

Your Committee on Technology and the Arts, to which was referred S.B. No. 2097 entitled:

"A BILL FOR AN ACT RELATING TO PEN REGISTERS,"

begs leave to report as follows:

The purpose and intent of this measure is to amend the definition of "pen register" to include devices that record or decode impulses that identify the numbers dialed or transmitted through cell phones and other communication devices.

Your Committee received testimony in support of this measure from the Department of the Prosecuting Attorney of the City and County of Honolulu, Office of the Prosecuting Attorney of the County of Kauai, and the Honolulu Police Department.

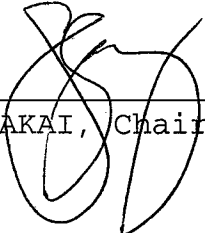
Your Committee finds that the current definition of "pen register", as defined in section 808-41, Hawaii Revised Statutes, was adopted in the 1980s and still refers to numbers dialed on a landline. This measure makes the definition of "pen register" technology neutral and more applicable to current forms of communication, without changing any standards or burdens of proof that law enforcement must satisfy to obtain an order to use pen registers.

As affirmed by the record of votes of the members of your Committee on Technology and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2097 and recommends that it pass Second Reading and be referred to the Committee on Judiciary and Labor.

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Respectfully submitted on
behalf of the members of the
Committee on Technology and the
Arts,



GLENN WAKAI, Chair



The Senate
 Twenty-Seventh Legislature
 State of Hawai'i

Record of Votes
Committee on Technology and the Arts
TEC

Bill / Resolution No.:* SB 2097	Committee Referral: TEC, JDL	Date: 02/13/14		
<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 checked="" type="checkbox"/> Pass, unamended 2312 <input 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)	/			
NISHIHARA, Clarence K. (VC)	/			
IHARA, Les	/			
TOKUDA, Jill N.				/
SLOM, Sam	/			
TOTAL	4			1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center; font-family: cursive; font-size: 1.2em;">Clarence K Nishihara</div>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes