

---

---

# A BILL FOR AN ACT

RELATING TO DOMESTIC VIOLENCE.

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

1       SECTION 1. The legislature finds that victims of domestic  
2 abuse currently lack meaningful support and viable options when  
3 establishing a plan to leave an abuser. Independence of a  
4 wireless phone plan may often aid these victims in formulating  
5 and following through on a means of escape, especially in  
6 situations where the abuser is the account manager for the cell  
7 phone plan, and as a result, may view any calls and account  
8 activity of phones associated with the shared or family cell  
9 phone plan.

10       The purpose of this Act is to allow victims of domestic  
11 abuse to retain use of an existing wireless telephone number  
12 even when the victim is not the account holder.

13       SECTION 2. Chapter 586, Hawaii Revised Statutes, is  
14 amended by adding a new section to be appropriately designated  
15 and to read as follows:

16       "§586-       Release of domestic abuse victims from shared  
17 wireless plans. (a) The court may issue an order requiring all



1 wireless telecommunications service providers to transfer the  
2 billing authority and all rights to the wireless telephone  
3 number or numbers to the petitioner, if the petitioner is not  
4 the account holder.

5 (b) The court order listed in subsection (a) shall be a  
6 separate order that is directed to the wireless  
7 telecommunications service provider. The order shall list the  
8 name and billing telephone number of the account holder, the  
9 name of the person to whom the telephone number or numbers will  
10 be transferred, and each telephone number to be transferred.

11 (c) For purposes of this section:

12 "Domestic abuse" has the same meaning as in section 586-1.

13 "Wireless telecommunications service" means commercial  
14 mobile radio service as defined by title 47 Code of Federal  
15 Regulations section 20.3.

16 "Wireless telecommunications service provider" means a  
17 provider of wireless telecommunications service.

18 (d) A cause of action shall not lie against any wireless  
19 telecommunications service provider, its officer, employees, or  
20 agents for the actions taken that are related to the transfer of  
21 the billing authority and rights to the wireless telephone



1 number or numbers in accordance with the terms of a court order  
2 issued pursuant to this section."

3 SECTION 3. This Act does not affect rights and duties that  
4 matured, penalties that were incurred, and proceedings that were  
5 begun before its effective date.

6 SECTION 4. New statutory material is underscored.

7 SECTION 5. This Act shall take effect on July 1, 2050.



**Report Title:**

Domestic Abuse; Wireless Plans; Contractual Release

**Description:**

Requires wireless telecommunications service providers to transfer the billing authority and rights to the wireless telephone number or numbers to the petitioner, if the petitioner is not the account holder, upon court order. (HB538 HD2)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

