

STAND. COM. REP. NO. 2388

Honolulu, Hawaii

FEB 19 2016

RE: S.B. No. 2107

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2016
State of Hawaii

Sir:

Your Committees on Judiciary and Labor and Economic Development, Environment, and Technology, to which was referred S.B. No. 2107 entitled:

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

beg leave to report as follows:

The purpose and intent of this measure is to amend the definition of "pen register" as used in electronic eavesdropping laws to include cell phones and other communications devices among those that the numbers transmitted to and from may be recorded.

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

Your Committees find that the existing definition of "pen register" uses dated references to devices attached to telephone lines or impulses transmitted through telephone lines. While telephone lines are still used, a far greater number of cellular devices are being used. This measure makes the definition technology neutral by updating the definition to include devices that do not use a landline but still make phone calls, such as cellular telephones, and electronic devices that make phone calls via the Internet or software applications, such as Skype, Google Voice, and iCall.

As affirmed by the records of votes of the members of your Committees on Judiciary and Labor and Economic Development,

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Environment, and Technology that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2107 and recommend that it pass Second Reading and be placed on the calendar for Third Reading.

Respectfully submitted on behalf of the members of the Committees on Judiciary and Labor and Economic Development, Environment, and Technology,



GLENN WAKAI, Chair



GILBERT S.C. KEITH-AGARAN, Chair



