
A BILL FOR AN ACT

RELATING TO ROBOCALLS.

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

SECTION 1. Chapter 480, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

"§480- Robocalls and spoofing providers. (a) When utilized in connection with the sale or advertisement of any goods, services, or charitable solicitation, the following shall be unlawful:

(1) Knowingly or negligently displaying or causing to be displayed a fictitious or misleading name or telephone number on a Hawaii resident's caller identification service; or

(2) Using a third party to knowingly or negligently display or cause to be displayed a fictitious or misleading name or telephone number on a Hawaii resident's caller identification service.

(b) It shall be unlawful for a person, in connection with a telecommunication service, to knowingly or negligently cause a



1 caller identification service to transmit misleading or
2 inaccurate caller identification information if the purpose is
3 to defraud, cause harm, or wrongfully obtain anything of value.

4 (c) It shall be unlawful for a person, in connection with
5 a telecommunication service, to knowingly or negligently cause a
6 caller identification service to transmit misleading or
7 inaccurate caller identification information unless the person
8 has verified that the caller identification service has a right
9 to use the name and the telephone number displayed.

10 (d) It shall be unlawful for a telecommunications service
11 to knowingly or negligently permit or cause a caller
12 identification service or device to display the name or
13 telephone number of the recipient.

14 (e) This section shall not prohibit:

15 (1) An authorized activity of a law enforcement agency;

16 (2) Any investigative, protective, or intelligence
17 activity of a law enforcement agency, including a law
18 enforcement agency of the United States, another
19 state, or a political subdivision of another state; an
20 intelligence agency of the United States; or a
21 protective services shelter or facility, including



1 without limitation a domestic violence shelter from
2 transmitting, or causing to be transmitted, an
3 inaccurate caller identification information;

4 (3) A telecommunication service from blocking or
5 restricting the name or telephone number from being
6 displayed by caller identification equipment or
7 devices; or

8 (4) Any activity pursuant to a court order that
9 specifically authorized the use of caller
10 identification manipulation.

11 (f) This section shall not apply to any voice service
12 provider that has submitted a certification of compliance to the
13 Federal Communications Commission in accordance with title 47
14 Code of Federal Regulations section 64.6305(b) or 64.6306(e)."

15 SECTION 2. Section 480-16, Hawaii Revised Statutes, is
16 amended by amending subsection (a) to read as follows:

17 "(a) Any person who violates section 480-4, 480-6, 480-9,
18 ~~[or]~~ 480-17, or 480-_____, including any principal, manager,
19 director, officer, agent, servant, or employee, who had engaged
20 in or has participated in the determination to engage in an
21 activity that has been engaged in by any association, firm,



1 partnership, trust, or corporation, which activity is a
2 violation of section 480-4, 480-6, 480-9, [~~or~~] 480-17, or 480-
3 , is punishable if a natural person by a fine not exceeding
4 \$100,000 or by imprisonment not exceeding three years, or by
5 both [~~such~~] the fine and imprisonment, in the discretion of the
6 court; if the person is not a natural person, then by a fine not
7 exceeding \$1,000,000."

8 SECTION 3. Statutory material to be repealed is bracketed
9 and stricken. New statutory material is underscored.

10 SECTION 4. This Act shall take effect on July 1, 2050.



Report Title:

Robocalls; Spoofing; Telecommunication Service Providers; Caller Identification Services; Unlawful Activity

Description:

Holds telecommunication service providers and third-party spoofing providers accountable by making certain robocalls and spoofing unlawful. Effective 7/1/2050. (HD1)

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

