EXECUTIVE CHAMBERS

HONOLULU

LINDA LINGLE
GOVERNOR

GOV. MSG. NO. 660

May 25, 2006

The Honorable Robert Bunda, President
and Members of the Senate
Twenty-Third State Legislature
State Capitol, Room 003
Honolulu, Hawaii 96813

Dear Mr. President and Members of the Senate:

This is to inform you that on May 25, 2006, the following bill was signed into law:

HB1871 HD1 SD2 CD1 — A BILL FOR AN ACT RELATING TO CONSUMER CREDIT REPORTING AGENCIES. **(ACT 138)**

Sincerely,

LINDA LINGLE

Approved by the Governor
on MAY 25 2006

ACT 138

HOUSE OF REPRESENTATIVES
TWENTY-THIRD LEGISLATURE, 2006
STATE OF HAWAII

H.B. NO. 1871 H.D. 1 S.D. 2 C.D. 1

A BILL FOR AN ACT

RELATING TO CONSUMER CREDIT REPORTING AGENCIES.

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

SECTION 1. The Hawaii Revised Statutes is amended by adding to title 26 a new chapter to be appropriately designated and to read as follows:

"CHAPTER

CONSUMER CREDIT REPORTING AGENCIES

§ -1 Purpose. The Federal Trade Commission recently determined that between October 1998, and September 2003, more than twenty-seven million three hundred Americans have been victims of identity theft, resulting in billions of dollars of losses to consumers. The purpose of this chapter is to protect Hawaii consumers who are victims of identity theft by allowing them to place a security freeze on their credit reports. This security freeze will prohibit a consumer reporting agency from releasing any information to unauthorized parties without the consumer's express authorization and provide consumers more control over who has access to their credit report. This chapter aims to effectively prevent identity thieves from continuing to secure credit in an identity theft victim's name.

(b) In addition to any penalty provided for in subsection (a), any person who violates any provision of this chapter shall be liable to the injured party in an amount equal to the sum of any actual damages sustained by the injured party as a result of the violation. The court in any action brought under this section may award reasonable attorneys' fees to the prevailing party.

(c) The penalties provided in this section shall be cumulative to the remedies or penalties available under all other laws of the State."

SECTION 2. This Act shall take effect on January 1, 2007.

APPROVED this 25 day of MAY, 2006

GOVERNOR OF THE STATE OF HAWAII

HB No. 1871 HD 1 SD 2 CD 1

THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: May 2, 2006
Honolulu, Hawaii

We hereby certify that the foregoing Bill on this day passed Final Reading in the House of Representatives of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2006.

Calvin K.Y. Say
Speaker
House of Representatives

Patricia Mau-Shimizu
Chief Clerk
House of Representatives

THE SENATE OF THE STATE OF HAWAII

Date: May 2, 2006
Honolulu, Hawaii

We hereby certify that the foregoing Bill on this day passed Final Reading in the Senate of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2006.

Robert Bunda
President of the Senate

Paul Kawaguchi
Clerk of the Senate