
A BILL FOR AN ACT

RELATING TO ANTITRUST VIOLATIONS BY THE PETROLEUM INDUSTRY.

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

1 SECTION 1. Section 480-3, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "**§480-3 Interpretation.** This chapter shall be construed
4 in accordance with judicial interpretations of similar federal
5 antitrust statutes, except that [~~lawsuits~~]:

6 (1) Lawsuits by indirect purchasers may be brought as
7 provided in this chapter[-]; and

8 (2) In order to survive a dispositive pretrial motion, a
9 plaintiff in an action brought under this chapter
10 against a producer or refiner of petroleum products is
11 not required to present evidence that tends to exclude
12 the possibility that the alleged conspirators acted
13 independently."

14 SECTION 2. Statutory material to be repealed is bracketed
15 and stricken. New statutory material is underscored.

16 SECTION 3. This Act shall take effect upon its approval.

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INTRODUCED BY:

Kirk Caldwell



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Report Title:

Monopolies; Restraint of Trade; Petroleum Industry

Description:

Provides that a plaintiff in an antitrust case against a producer or refiner of petroleum products, in order to survive a dispositive pretrial motion, is not required to present evidence that tends to exclude the possibility that the alleged conspirators acted independently.

