
A BILL FOR AN ACT

RELATING TO BANKS AND FINANCIAL INSTITUTIONS.

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

1 SECTION 1. The purpose of this Act is to prohibit the use
2 of the name or trademark of a financial institution or its
3 affiliates or subsidiaries when marketing or soliciting existing
4 or prospective customers if such marketing materials are used
5 without written permission and in a manner that would lead a
6 reasonable person to believe that the material or solicitation
7 originated from a financial institution or its affiliates or
8 subsidiaries. The Act further authorizes a civil penalty of up
9 to \$10,000 for each violation.

10 SECTION 2. Chapter 412, Hawaii Revised Statutes, is
11 amended by adding a new section to be appropriately designated
12 and to read as follows:

13 "§412:1- Bank name fraud. (a) No person shall use the
14 name or trademark of a financial institution, as defined in
15 section 412:1-109, or its affiliates or subsidiaries when
16 marketing or soliciting existing or prospective customers if
17 such marketing materials are used without the written consent of




1 the financial institution and in a manner that would lead a
 2 reasonable person to believe that the material or solicitation
 3 originated from, was endorsed by, is related to, or is the
 4 responsibility of the financial institution or its affiliates or
 5 subsidiaries.

6 (b) The commissioner may impose a civil penalty of up to
 7 \$10,000 for each violation of this section."

8 SECTION 3. New statutory material is underscored.

9 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY: 
 JAN 15 2008



Report Title:

Financial Institution Name Fraud; Banks

Description:

Prohibits the deceptive use of the name or trademark of a financial institution or its affiliates or subsidiaries.
Establishes \$10,000 fine for violations.

