
A BILL FOR AN ACT

RELATING TO HEALTH CLUBS.

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

1 SECTION 1. Chapter 486N, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§486N- Military personnel; federal active duty
5 deployment outside State; cancellation or suspension of
6 contract. (a) In addition to the rights of cancellation of a
7 health club contract under sections 486N-6 and 486N-7, a health
8 club contract of a member of the United States military,
9 including a member of the Hawaii national guard, United States
10 military reserves, or regular United States armed forces, who is
11 serving on federal active duty or active duty in federal service
12 and is deployed or otherwise serving outside of this State
13 during the term of the contract, may be canceled or suspended;
14 provided that the request for cancellation or suspension:

- 15 (1) Is made by the member or the member's legally
16 designated representative;
17 (2) Includes a copy of the member's official military
18 orders, a written verification from the member's



1 commanding officer, or other proof of deployment or
2 service; and

3 (3) Is made within ninety days after the member receives
4 notice of serving on federal active duty or active
5 duty in federal service for deployment or service
6 outside of this State.

7 (b) If a contract is suspended under this section, the
8 health club shall not charge any fees to reinstate the contract
9 and shall maintain in the reinstated contract the original
10 payment obligations set forth in the original contract.

11 (c) A contract that is suspended pursuant to subsection
12 (a) shall be subject to cancellation two years from the date of
13 suspension if the health club member fails to reinstate the
14 contract.

15 (d) If cancellation or suspension is made pursuant to
16 subsection (a), the health club shall immediately refund to the
17 member the entire consideration the member paid for the health
18 club contract, less an amount computed by dividing the total
19 contract price by the number of weeks in the term of the
20 contract and multiplying the result by the number of weeks
21 elapsed at the time of cancellation or suspension."

22 SECTION 2. New statutory material is underscored.



1 SECTION 3. This Act shall take effect on July 1, 2010.

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Report Title:

Health Clubs; Cancel or Suspend Membership; Deployed Military

Description:

Allows military personnel deployed outside the State on federal active duty to cancel or suspend health club membership at any time during the contract term under certain conditions.

Requires pro rata refund of fees. (SD2)

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