
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 cancellation of a health club
7 contract under sections 486N-6 and 486N-7, a health club
8 contract of a member of the United States military, including a
9 member of the Hawaii National Guard, United States military
10 reserves, or regular United States armed forces who is serving
11 on federal active duty or active duty in federal service and
12 deployed or otherwise serving outside of this State during the
13 term of the contract, may be canceled or suspended provided that
14 the request for cancellation or suspension:

15 (1) Is made by the member or the member's legally
16 designated representative;



1 (2) Includes a copy of the member's official military
2 orders, a written verification from the member's
3 commanding officer, or other proof of deployment; and

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

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

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

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



- 1 SECTION 2. New statutory material is underscored.
- 2 SECTION 3. This Act shall take effect on July 1, 2010.
- 3



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. (SD1)

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