
A BILL FOR AN ACT

RELATING TO GAMBLING.

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

1 SECTION 1. Chapter 712, Hawaii Revised Statutes, is
2 amended by adding a new section to part III to be appropriately
3 designated and to read as follows:

4 "§712- Product sweepstakes gambling. (1) A person
5 commits the offense of product sweepstakes gambling if the
6 person knowingly advances or participates in any product
7 sweepstakes gambling activity.

8 (2) Product sweepstakes gambling is a misdemeanor."

9 SECTION 2. Section 712-1220, Hawaii Revised Statutes, is
10 amended as follows:

11 1. By adding two new definitions to be appropriately
12 inserted and to read:

13 "Prize" means any gift, award, gratuity, good, service,
14 credit, or anything else of value, which may be transferred to a
15 person, whether possession of the prize is actually transferred,
16 or placed on an account or other record as evident of the intent
17 to transfer the prize.



1 "Product sweepstakes gambling" means any game, advertising
2 scheme, or plan, or other promotion, which, with or without
3 paying something of value, a person may enter to win or become
4 eligible to receive any prize, the determination of which is
5 based on chance."

6 2. By amending the definition of "gambling" to read:

7 "'Gambling". A person engages in gambling if [he] the
8 person stakes or risks something of value upon the outcome of a
9 contest of chance or a future contingent event not under [his]
10 the person's control or influence, upon an agreement or
11 understanding that [he] the person or someone else will receive
12 something of value in the event of a certain outcome[-] or if
13 the person engages in product sweepstakes gambling. Gambling
14 does not include bona fide business transactions valid under the
15 law of contracts, including [~~but not limited to~~] contracts for
16 the purchase or sale at a future date of securities or
17 commodities, and agreements to compensate for loss caused by the
18 happening of chance, including [~~but not limited to~~] contracts of
19 indemnity or guaranty and life, health, or accident insurance."

20 SECTION 3. This Act does not affect rights and duties that
21 matured, penalties that were incurred, and proceedings that were
22 begun before its effective date.

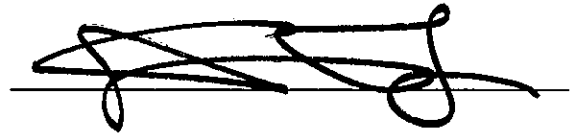


1 SECTION 4. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 5. This Act shall take effect upon its approval.

4

INTRODUCED BY:

A handwritten signature in black ink, appearing to be "J. J. ...", written over a horizontal line.

JAN 24 2013



H.B. NO. 1312

Report Title:

Gambling; Product Sweepstakes Gambling; Prohibition

Description:

Establishes the offense of product sweepstakes gambling as a misdemeanor. Defines product sweepstakes gambling and prize.

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