
A BILL FOR AN ACT

RELATING TO FISH LABELING.

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

1 SECTION 1. Chapter 328, Hawaii Revised Statutes, is
2 amended by adding two new sections to part I to be appropriately
3 designated and to read as follows:

4 "§328-A Illness caused by the misbranding of fish or fish
5 products; administrative penalties. (a) The director, after
6 providing written notice and an opportunity for an
7 administrative hearing in accordance with chapter 91, may impose
8 administrative fines upon any person whose misbranding of fish
9 or fish products in violation of section 328-6 results in the
10 illness of a consumer of the product as certified by a physician
11 licensed pursuant to chapter 453.

12 (b) Any person who violates this section shall be fined no
13 more than:

14 (1) \$ for a first violation;

15 (2) \$ for a second violation; and

16 (3) \$ for a third or subsequent violation.

17 Any fines collected under this section shall be deposited into
18 the fish misbranding special fund established by section 328-B.



1 (c) The penalties under this section are in addition to
2 any other penalties provided by law.

3 **§328-B Fish misbranding special fund.** (a) There is
4 established the fish misbranding special fund to be administered
5 by the department and into which shall be deposited:

- 6 (1) Legislative appropriations to the special fund;
7 (2) All moneys received by the department from fines
8 imposed under section 328-A;
9 (3) All interest earned or accrued on moneys deposited in
10 the special fund; and
11 (4) Any other moneys made available to the special fund.

12 (b) Moneys in the special fund shall be expended to cover
13 the costs associated with carrying out the purpose of section
14 328-A."

15 SECTION 2. This Act does not affect rights and duties that
16 matured, penalties that were incurred, and proceedings that were
17 begun before its effective date.

18 SECTION 3. In codifying the new sections added by section
19 1 of this Act, the revisor of statutes shall substitute
20 appropriate section numbers for the letters used in designating
21 the new sections in this Act.



1 SECTION 4. New statutory material is underscored.

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

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INTRODUCED BY:

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JAN 17 2014



Report Title:

Fish Labeling; Fines; Special Fund

Description:

Establishes a violation and penalties for the misbranding of fish or fish products that result in consumer illness. Creates the fish misbranding special fund.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

