

Honolulu, Hawaii  
March 1, 2018

RE: H.B. No. 1621  
H.D. 1

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Twenty-Ninth State Legislature  
Regular Session of 2018  
State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred H.B. No. 1621 entitled:

"A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION,"

begs leave to report as follows:

The purpose of this measure is to require a merchant to include in a refund all shipping and handling charges paid by a purchaser if the goods were damaged or defective prior to the time of sale and the purchaser was not notified of the damage or defect in writing prior to the time of sale.

The Office of Consumer Protection of the Department of Commerce and Consumer Affairs testified in support of this measure. The Retail Merchants of Hawaii testified in opposition.

Your Committee has amended this measure by:

- (1) Deleting the language requiring a merchant to include in a refund all shipping and handling charges paid by a purchaser if the goods were damaged or defective prior to the time of sale and the purchaser was not notified of the damage or defect in writing prior to the time of sale; and



- (2) Prohibiting merchants from adopting a warranty policy that requires a customer to pay an additional fee to obtain a repair, replacement, or refund for goods returned pursuant to the warranty.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1621, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1621, H.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on  
behalf of the members of the  
Committee on Consumer  
Protection & Commerce,



---

ROY M. TAKUMI, Chair



State of Hawaii  
House of Representatives  
The Twenty-ninth Legislature

HSCR 882-18

**Record of Votes of the Committee on Consumer Protection & Commerce**

Bill/Resolution No.: <b>HB 1621</b>	Committee Referral: <b>CPC</b>	Date: <b>2/4/18</b>		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
CPC Members	Ayes	Ayes (WR)	Nays	Excused
1. TAKUMI, Roy M. (C)	✓			
2. ICHIYAMA, Linda (VC)	✓			
3. AQUINO, Henry J.C.	✓			
4. ITO, Ken	✓			
5. JOHANSON, Aaron Ling	✓			
6. LoPRESTI, Matthew S.	✓			
7. MIZUNO, John M.	✓			
8. SAY, Calvin K.Y.		✓		
9. TOKIOKA, James Kunane	✓			
10. YAMANE, Ryan I.	✓			
11. McDERMOTT, Bob	✓			
<b>TOTAL (11)</b>	<b>10</b>	<b>1</b>	<b>0</b>	<b>0</b>
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="text-align: center; font-size: small;">committee acronym(s)</div>				
Vice Chair's or designee's signature:				
<b>Distribution:</b> Original (White) – Committee    Duplicate (Yellow) – Chief Clerk's Office    Duplicate (Pink) – HMSO				