



EXECUTIVE CHAMBERS
HONOLULU

DAVID Y. IGE
GOVERNOR

July 5, 2019

GOV. MSG. NO. 1360

The Honorable Ronald D. Kouchi,
President
and Members of the Senate
Thirtieth State Legislature
State Capitol, Room 409
Honolulu, Hawai'i 96813

The Honorable Scott K. Saiki,
Speaker and Members of the
House of Representatives
Thirtieth State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

This is to inform you that on July 5, 2019, the following bill was signed into law:

SB763 SD2 HD1 CD1

RELATING TO ADVERTISING AND MARKETING.
ACT 258 (19)

Sincerely,

DAVID Y. IGE
Governor, State of Hawai'i

A BILL FOR AN ACT

RELATING TO ADVERTISING AND MARKETING.

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

1 SECTION 1. (a) The department of business, economic
2 development, and tourism, in consultation with the department of
3 agriculture, shall conduct a study to assess the impacts of
4 companies selling products in the United States using place-
5 based marketing without any material ties to the State,
6 including:

7 (1) A calculation of the resultant gross domestic product
8 lost due to the non-sale of Hawaii-grown fresh foods
9 and consumer packaged goods that comply with section
10 486-119, Hawaii Revised Statutes; and

11 (2) The economic impact on Hawaii's agricultural community
12 and local businesses actually based in the State or
13 using Hawaii-grown ingredients.

14 (b) The study will enable the State to protect itself from
15 economic exploitation and protect consumers against dishonest or
16 misleading marketing.

17 (c) For the purposes of this Act, the following
18 definitions shall apply:



1 "Gross domestic product" shall mean the total taxable sales
2 revenues from the alleged Hawaiian products or consumer packaged
3 goods generated by companies exploiting the Hawaii brand.

4 "Material ties" shall mean an ingredient or ingredients
5 that are grown or sourced in the State and explicitly marketed
6 as ingredients derived from the State.

7 "Place-based marketing" includes but is not limited to the
8 name of any Hawaiian island or district, or marketing the
9 product as "Hawaiian".

10 (d) The department of business, economic development, and
11 tourism shall submit a report of findings resulting from the
12 study to the legislature no later than twenty days prior to the
13 convening of the regular session of 2020.

14 SECTION 2. There is appropriated out of the general
15 revenues of the State of Hawaii the sum of \$150,000 or so much
16 thereof as may be necessary for fiscal year 2019-2020 for the
17 department of business, economic development, and tourism, in
18 consultation with the department of agriculture, to conduct a
19 study to assess the impacts of companies selling products in the
20 United States using place-based marketing without any material
21 ties to the State.



1 The sum appropriated shall be expended by the department of
2 business, economic development, and tourism for the purposes of
3 this Act.

4 SECTION 3. This Act shall take effect on July 1, 2019.

APPROVED this 05 day of JUL , 2019





GOVERNOR OF THE STATE OF HAWAII

THE SENATE OF THE STATE OF HAWAI'I

Date: April 30, 2019
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the
Senate of the Thirtieth Legislature of the State of Hawai'i, Regular Session of 2019.


President of the Senate


Clerk of the Senate

SB No. 763, SD 2, HD 1, CD 1

THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: April 30, 2019
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Thirtieth Legislature of the State of Hawaii, Regular Session of 2019.



Scott K. Saiki
Speaker
House of Representatives



Brian L. Takeshita
Chief Clerk
House of Representatives