

STAND. COM. REP. NO.

1011

Honolulu, Hawaii

MAR 01 , 2019

RE: H.B. No. 68
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirtieth State Legislature
Regular Session of 2019
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 68, H.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this measure is to prohibit a merchant in the State from adopting a warranty policy requiring a purchaser to pay an additional fee to obtain a repair, replacement, or refund for goods returned pursuant to the warranty.

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

Your Committee notes that concerns were raised by the Retail Merchants of Hawaii, stating that retailers have no way of knowing if an item sold by them contains a defect or was damaged. However, ensuring fair and just protections that prevent consumers from being forced to pay more for an item due to no fault of their own, and preventing fraudulent or exploitative practices by manufacturers or retailers is paramount. Properly resolving issues as a result of selling a defective product is the responsibility of the manufacturer and retailer.



As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 68, H.D. 1, and recommends that it pass Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



CHRIS LEE, Chair



