

Honolulu, Hawaii

APR 03 2019

RE: H.B. No. 760
H.D. 2
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirtieth State Legislature
Regular Session of 2019
State of Hawaii

Sir:

Your Committee on Commerce, Consumer Protection, and Health, to which was referred H.B. No. 760, H.D. 2, entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to require a full-service franchise restaurant to disclose its non-participation in national advertising campaigns that offer a promotion or a discount with a sign at the entrance or storefront of the restaurant.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs and one individual. Your Committee received testimony in opposition to this measure from the Hawai'i Restaurant Association.

Your Committee finds that customers of full-service restaurants who patronize the establishment because of a national advertising campaign that promotes a discount on food or beverage may be misled if the offer is not available in Hawaii. Although national advertisements generally disclose geographic restrictions in television commercials, the disclosure often appears only for a short period of time and in very small print. This measure will benefit Hawaii consumers by requiring a restaurant to inform patrons that a particular promotion does not apply prior to the

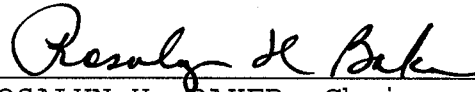


patrons entering the restaurant, which will help alleviate unnecessary misunderstandings between restaurants and patrons.

Your Committee has amended this measure by inserting an effective date of July 1, 2019.

As affirmed by the record of votes of the members of your Committee on Commerce, Consumer Protection, and Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 760, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 760, H.D. 2, S.D. 1, and be placed on the calendar for Third Reading.

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




ROSALYN H. BAKER, Chair



The Senate
Thirtieth Legislature
State of Hawai'i

Record of Votes
Committee on Commerce, Consumer Protection, and Health
CPH

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 760, HD2	CPH	3/15/19		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312	<input checked="" type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310		
<input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
BAKER, Rosalyn H. (C)	✓			
CHANG, Stanley (VC)	✓			
KEOHOKALOLE, Jarrett				✓
NISHIHARA, Clarence K.	✓			
RUDERMAN, Russell E.	✓			
THIELEN, Laura H.				✓
FEVELLA, Kurt				✓
TOTAL	4			3
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

*Only one measure per Record of Votes