

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA



GOV. MSG. NO. 1177

EXECUTIVE CHAMBERS
KE KE'ENA O KE KIA'ĀINA

May 19, 2025

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

The Honorable Nadine Nakamura
Speaker, and Members of the
House of Representatives
Thirty-Third State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

Aloha President Kouchi, Speaker Nakamura, and Members of the Legislature:

This is to inform you that on May 19, 2025, the following bill was signed into law:

S.B. NO. 102, S.D. 2,
H.D. 2, C.D. 1

RELATING TO RESTAURANTS.
ACT 077

Mahalo,

A handwritten signature in black ink that reads "Josh Green M.D." in a cursive style.

Josh Green, M.D.
Governor, State of Hawai'i

A BILL FOR AN ACT

RELATING TO RESTAURANTS.

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

1 SECTION 1. The legislature finds that unauthorized
2 restaurant reservation listings by third-party restaurant
3 reservation services are misleading to consumers and detrimental
4 to restaurant businesses in the State. The legislature also
5 finds that the State has an interest in preventing this
6 substantial misconduct. This Act advances the State's interest
7 by prohibiting third parties from listing restaurant reservation
8 services without the restaurant's knowledge or prior written
9 consent. The legislature further finds that avoiding these
10 harmful effects justifies the restrictions imposed by this Act.

11 Accordingly, the purpose of this Act is to:

- 12 (1) Prohibit third-party restaurant reservation services
13 from advertising, listing, promoting, facilitating,
14 enabling, or selling restaurant reservation services
15 without first obtaining a written agreement from the
16 applicable restaurant authorizing the action; and



1 (2) Establish a private cause of action for civil
2 remedies.

3 SECTION 2. Chapter 489J, Hawaii Revised Statutes, is
4 amended by adding a new section to be appropriately designated
5 and to read as follows:

6 **"§489J- Unauthorized restaurant reservations;**
7 **prohibited.** (a) No third-party restaurant reservation service
8 shall advertise, list, promote, facilitate, enable, or sell
9 reservations for a restaurant through the third-party restaurant
10 reservation service's website, mobile application, or other
11 digital platform unless the restaurant, or a contractual
12 designee of the restaurant expressly authorized by the
13 restaurant to distribute reservations to a third party, agrees
14 in writing for the third-party restaurant reservation service to
15 advertise, list, promote, facilitate, enable, or sell
16 reservations for that restaurant.

17 (b) Any person who is charged a fee or price by or through
18 a third-party restaurant reservation service for a reservation
19 that is advertised, listed, promoted, facilitated, enabled, or
20 sold in violation of this section; any restaurant for which a
21 third-party restaurant reservation service has advertised,



1 listed, promoted, facilitated, enabled, or sold a reservation in
2 violation of this section; or any restaurant's contractual
3 designee who obtained reservation distribution rights directly
4 from the restaurant, with respect to a reservation advertised,
5 listed, promoted, facilitated, enabled, or sold in violation of
6 this section, may bring a civil action in any court of competent
7 jurisdiction for the following:

8 (1) Injunctive relief to restrain or enjoin any activity
9 in violation of this section;

10 (2) Actual damages; provided that the actual damages shall
11 not exceed the total fees collected by the third-party
12 restaurant reservation service for the subject
13 violation; and

14 (3) Attorneys' fees and costs and any other remedies that
15 the court deems appropriate.

16 (c) Any action alleging a violation of this section shall
17 be brought within one year of the occurrence of the acts alleged
18 to have violated this section.

19 (d) For the purposes of this section:

20 "Restaurant" means a food establishment in which food is
21 provided free of charge or sold to consumers for consumption on



1 or off the premises. "Restaurant" includes dine-in
2 establishments, pushcarts, food stands, and vehicles.

3 "Third-party restaurant reservation service" means any
4 website, mobile application, or other digital platform that:

5 (1) Offers or arranges for reserving on-premises service
6 for a customer at a restaurant; and

7 (2) Is owned and operated by an entity other than the
8 entity that owns the applicable restaurant."

9 SECTION 3. This Act does not affect rights and duties that
10 matured, penalties that were incurred, and proceedings that were
11 begun before its effective date.

12 SECTION 4. New statutory material is underscored.

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



S.B. NO. 102
S.D. 2
H.D. 2
C.D. 1

APPROVED this 19th day of May, 2025



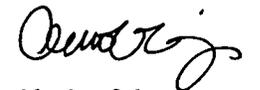
GOVERNOR OF THE STATE OF HAWAII

THE SENATE OF THE STATE OF HAWAI‘I

Date: April 30, 2025
Honolulu, Hawai‘i 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the Senate of the Thirty-Third Legislature of the State of Hawai‘i, Regular Session of 2025.


President of the Senate


Clerk of the Senate

SB No. 102, SD 2, HD 2, CD 1

THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: April 30, 2025
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Thirty-Third Legislature of the State of Hawaii, Regular Session of 2025.



Nadine K. Nakamura
Speaker
House of Representatives



Brian L. Takeshita
Chief Clerk
House of Representatives