

STAND. COM. REP. NO.

1480

Honolulu, Hawaii

MAR 21, 2025

RE: S.B. No. 1035  
S.D. 2  
H.D. 1

Honorable Nadine K. Nakamura  
Speaker, House of Representatives  
Thirty-Third State Legislature  
Regular Session of 2025  
State of Hawaii

Madame:

Your Committee on Consumer Protection & Commerce, to which was referred S.B. No. 1035, S.D. 2, entitled:

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

begs leave to report as follows:

The purpose of this measure is to:

- (1) Prohibit businesses from offering, displaying, or advertising live-event tickets or short-term lodging without clearly and conspicuously disclosing the maximum total price of all fees or charges, with some exceptions; and
- (2) Specify that a misrepresentation of any fee or charge in any offer, display, or advertisement for live-event tickets or short-term lodging is an unfair or deceptive act or practice.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs; PonoRez; Rick Bartalini Presents, LLC; American Hotel & Lodging Association; and Hawai'i Hotel Alliance. Your Committee received comments on this measure from the American Express Company.

2025-2747 SB1035 HD1 HSCR HMSO



Your Committee finds that price is material to a consumer's decision about whether to purchase a good or service. Consumers look for prices to comparison shop and weigh what a good or service might be worth. However, some businesses force consumers to go to multiple sites and click through multiple web pages before learning the true total price of a good or service. Consumer harm is particularly pronounced in the live-event ticketing and short-term lodging industries because the offered goods or services are often identical or nearly identical, with the most salient feature being the total price, which is shrouded from consumers. This measure is designed to address the harmful practices of bait-and-switch pricing and misleading fees and charges by mandating price transparency in these industries.

Your Committee has amended this measure by:

- (1) Explicitly stating that offering, displaying, or advertising any price of a covered good or service without clearly and conspicuously disclosing the total price, or misrepresenting any fee or charge, is an unfair and deceptive practice;
- (2) Requiring that when the final amount of payment is displayed in an offer, display, or advertisement, it shall be displayed more prominently than, or as prominently as, the total price;
- (3) Clarifying the clearly and conspicuously disclosure requirements;
- (4) Including a definition of "ancillary good or service" and amending the definition of "total price";
- (5) Changing the effective date to July 1, 3000, to encourage further discussion; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

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 S.B. No. 1035, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto



as S.B. No. 1035, S.D. 2, H.D. 1, and be referred to your  
Committee on Judiciary & Hawaiian Affairs.

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



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SCOT Z. MATAYOSHI, Chair



