

ACT 68

A Bill for an Act Amending Chapter 201A of the Revised Laws of Hawaii 1955, Relating to the Retail Installment Sales Act.

Be it Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 201A-1 of the Revised Laws of Hawaii 1955, is hereby amended by amending the definition of “retail seller” or “seller” to read as follows:

“ ‘Retail seller’ or ‘seller’ means a person engaged in the business of selling goods to retail buyers.”

SECTION 2. Section 201A-2 of the Revised Laws of Hawaii 1955, is amended by deleting the second paragraph and substituting the following:

“The printed, handwritten or typewritten portion of the contract shall be in a size at least equivalent to eight-point type. The contract shall contain, in a size and style equal at least to ten-point bold type if printed, upper case elite type if typewritten and equivalent thereto if handwritten, the words ‘RETAIL INSTALLMENT CONTRACT’ both at the top of the contract and directly above the space reserved for the signature of the buyer, and the words ‘NOTICE TO THE BUYER’ as set forth in the next paragraph.”;

and by deleting subsection (a) in its entirety and the designation “(b)” in the following paragraph; and by adding after the words “The following notice”, the words “shall appear immediately above the words ‘RETAIL INSTALLMENT CONTRACT’ where they appear directly above the space reserved for the signature of the buyer:”.

SECTION 3. Section 201A-1 of the Revised Laws of Hawaii 1955 is hereby amended by the addition of a new definition to read as follows:

“ ‘Referral sale’ means a sale of goods, subject to this chapter, in which part of the inducement offered by the seller is a rebate, discount, commission or other consideration to be given the buyer when the latter either sells or gives information leading to a sale, by the seller, of the same or related goods.”

SECTION 4. Section 201A-17 of the Revised Laws of Hawaii 1955 is hereby amended by adding thereto a new subsection (a) to read as follows:

“(a) Any sale of goods, subject to the provisions of this chapter, which is a referral sale, is unenforceable and void, whether the inducement was written or oral, except as provided in subsection (d).”

SECTION 5. Section 201A-17 of the Revised Laws of Hawaii 1955 is further amended by redesignating subsections (a), (b) and (c) to read (b), (c) and (d), and deleting “(c)” in subsections (a) and (b) of section 201A-17 of the Revised Laws of Hawaii 1955, and substituting therefor “(d)”.

SECTION 6. This Act shall take effect on January 1, 1964.

(Approved May 20, 1963.) **H.B. 835.**
