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H. B. NO. 329

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

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

SECTION 1. The fourth paragraph of Section 201A-a of the Revised Laws of Hawaii 1955, as amended by Act 285, Session Laws of Hawaii 1967, is hereby further amended to read as follows:

“If the sale is a house-to-house sale, the contract shall bear the notice printed or over stamped following the place for the buyer’s signature and in a size and style at least equal to the Notice To The Buyer that: ‘You are entitled to cancel this contract if Notice of Cancellation is mailed by certified mail, return receipt requested, and postmarked before midnight of the third business day following the date of your signature, excluding Saturdays, Sundays and holidays. See Notice of Cancellation accompanying this contract.’”

SECTION 2. Subsection (f) of the new section added to Chapter 201A by section 8 of Act 285, Session Laws of Hawaii 1967, is amended by amending the third paragraph thereof next following the subtitle, “Statement of Buyer’s Rights”, to read as follows:

“You may cancel the contract referred to above by completing the notice of cancellation and mailing it by certified mail, return receipt requested, to the seller at the address shown on the contract and postmarked before midnight of

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the third business day after the date you sign the contract or the date on which you received this notice, whichever is later in time, excluding Saturdays, Sundays, and holidays. If you cancel the contract, the seller is entitled to retain out of the down payment, or otherwise recover, a cancellation of 5% of the cash price of the sale, but in no event may the seller retain or recover more than \$15.00 plus the cost of delivery of the merchandise, if delivery is made.”

SECTION 3. Statutory material to be repealed is bracketed. New material is underscored. In printing this Act, the revisor of statutes need not include the brackets, the bracketed material or the underscoring.*

SECTION 4. Notwithstanding the adoption of Act 16, Session Laws of Hawaii 1968, this Act shall have full force according to its intent. Upon the taking effect of this Act or the Hawaii Revised Statutes, whichever occurs later, this Act shall be construed to be in amendment of or in addition to the Hawaii Revised Statutes, all references in this Act being construed to refer to the applicable or corresponding provisions of the Hawaii Revised Statutes.

The revisor of statutes may reword and renumber the references in this Act and make such other formal or verbal changes as may be necessary to conform with the Hawaii Revised Statutes.

SECTION 5. Effective date. This Act shall take effect on July 1, 1969.

(Approved June 27, 1969.)

* Edited accordingly