

A Bill for an Act Relating to Misrepresentation as to the Use of Proceeds of Sales for Handicapped Persons.

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

SECTION 1. The Hawaii Revised Statutes is amended by adding new sections to be appropriately numbered by the Revisor of Statutes and to read as follows:

“**Section** (a) Aid to handicapped, misrepresentation as to. It shall be unlawful for any person engaging in business for profit or his agents to represent that proceeds from the sale or services by such person or his agent are for the benefit of individuals on account of their being disabled or handicapped when, in fact, the proceeds will not be so used.

“(b) A disabled or handicapped person who solicits sales of goods or services by telephone and who represents that he is a disabled or handicapped person shall disclose:

- (1) His name and vocational rehabilitation certificate number.
- (2) Who his employer is.
- (3) The amount of remuneration or commission he will receive from the sale of the goods or services.
- (4) That he represents a business for profit which is owned by persons who are not disabled or handicapped if such is the fact.

“**Section** The vocational rehabilitation section of the department of social services shall issue a numbered certificate to a disabled or handicapped person who will engage in the solicitation of goods or services by telephone.

The certificate shall certify that the applicant is a handicapped or disabled person, with a handicap or disability which constitutes a substantial permanent or semi-permanent handicap to employment. The certificate shall be good for one year and may be renewed.

“**Section** . No person in soliciting the sale of goods or services by telephone shall represent that he is a disabled or handicapped person if he does not have a certificate from the vocational rehabilitation section of the department of social services.”

SECTION 2. Section 445-184, Hawaii Revised Statutes, is hereby amended by deleting the words “and provided further that disabled or handicapped persons shall be exempt from this section.” and by substituting a period for the semicolon immediately preceding the deleted proviso.

SECTION 3. Section 468-4, Hawaii Revised Statutes, is amended by deleting the words “provided further that disabled or handicapped persons shall be exempt from this section.” and by substituting a period for the semicolon

immediately preceding the deleted proviso.

SECTION 4. Penalty. Any person who violates this act shall be fined not more than \$500 for each violation or imprisoned not more than one year or both.

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

(Approved July 14, 1969.)