

**ACT 13**

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**H.B. NO. 2178-80**

**A Bill for an Act Relating to the Limitation of Fees.**

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

SECTION 1. Section 383-162, Hawaii Revised Statutes, is amended to read:

**“Sec. 383-162 Limitation of fees.** No individual shall be charged fees of any kind in any proceeding under this chapter by the department of labor and industrial relations or its representatives, or the referee, or by any court or any officer thereof, and no costs shall be awarded by the referee on an appeal. Any individual claiming benefits in any proceeding before the department or the referee may be represented by counsel or other duly authorized agent, but no such counsel or agent shall either charge or receive for such services more than an amount approved by the department or referee, and such amount shall in no case exceed ten per cent of the sum of the average benefit duration for the prior calendar year as computed by the department of labor and industrial relations multiplied by the claimant’s weekly benefit amount, payable as a result of such proceeding. For the purposes of this section, the term “average benefit duration” shall mean the average actual duration of benefits computed by dividing the total number of weeks compensated during a year by the corresponding number of first payments made during the year.

Any person who violates this section shall, for each such offense, be fined not less than \$50 nor more than \$500 or imprisoned not more than six months, or both.”

SECTION 2. Statutory material to be repealed is bracketed. New material is underscored.\*

SECTION 3. This Act shall take effect upon its approval.

(Approved April 9, 1980.)

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\*The text has been edited pursuant to HRS §23G-16.5, authorizing omission of the brackets, bracketed material and underscoring.