

ACT 97

H.B. NO. 533

A Bill for an Act Relating to Antitrust.

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

SECTION 1. The legislature finds that the vigorous enforcement of the antitrust laws is crucial to promote competition that benefits both businesses and consumers and the overall welfare of the State of Hawaii.

The legislature further finds that the establishment of the antitrust trust fund to support the enforcement of antitrust laws will yield direct benefits to the public and protect the health, safety, and welfare of the people of the State of Hawaii.

The legislature also finds that the moneys deposited into the antitrust trust fund should be deemed trust moneys to be used for the enforcement of antitrust laws by the department of the attorney general.

SECTION 2. Chapter 28, Hawaii Revised Statutes, is amended by adding a new section to part I to be appropriately designated and to read as follows:

“§28- **Antitrust trust fund.** (a) There is established in the state treasury the antitrust trust fund, into which shall be deposited:

(1) Ten per cent of any antitrust judgment or settlement received by the State except where the deposit is inconsistent with the court order or settlement agreement relating to the amount; and

(2) Appropriations made by the legislature.

(b) The antitrust trust fund shall be administered by the department of the attorney general and shall be used for expenditures relating to the enforcement of antitrust laws, including but not limited to expenditures for training, equipment purchases, educational resources, and facilitating participation in antitrust lawsuits and investigations initiated by other states.

(c) All unencumbered and unexpended moneys in excess of \$250,000 remaining on balance in the antitrust trust fund at the close of June 30 of each year shall lapse to the credit of the general fund.

(d) The department of the attorney general shall submit a report to the legislature no later than twenty days prior to the convening of each regular session to provide an accounting of the receipts and expenditures of the fund.”

SECTION 3. Of the general fund appropriation for fiscal year 2000-2001 for the department of the attorney general (ATG 100), the department shall deposit not more than \$150,000 for fiscal year 2000-2001 to the credit of the antitrust trust fund to be expended by the department of the attorney general for the purposes of the fund.

SECTION 4. New statutory material is underscored.¹

SECTION 5. This Act shall take effect on June 29, 2001.

(Approved May 18, 2001.)

Note

1. Edited pursuant to HRS §23G-16.5.