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# A BILL FOR AN ACT

RELATING TO THE LABELING OF PRODUCTS.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. Section 201-3.5, Hawaii Revised Statutes, is  
2 amended by amending subsection (c) to read as follows:  
3           "(c) No person shall:  
4           (1) Keep, offer, display or expose for sale, or solicit  
5           for the sale of any item, product, souvenir, or other  
6           merchandise that:  
7           (A) Is labeled "Hawaii Made"; or  
8           (B) By any other means, represents the origin of the  
9           item as being from any place within the State; or  
10          (2) Use the phrase "Hawaii Made" as an advertising or  
11          media tool,  
12 for any item that has not been manufactured, assembled,  
13 fabricated, or produced within the State and that has not had at  
14 least fifty-one per cent of its wholesale value added by  
15 manufacture, assembly, fabrication, or production within the  
16 State, including Hawaii-sourced goods, services, and  
17 intellectual property. For the purposes of this subsection,



1 production shall include operating and overhead expenses  
2 incurred and spent within the State for non-perishable goods."

3 SECTION 2. Section 486-119, Hawaii Revised Statutes, is  
4 amended by amending subsection (a) to read as follows:

5 "(a) No person shall keep, offer, display or expose for  
6 sale, or solicit for the sale of any item, product, souvenir, or  
7 any other merchandise that is labeled "made in Hawaii" or that  
8 by any other means misrepresents the origin of the item as being  
9 from any place within the State, or uses the phrase "made in  
10 Hawaii" as an advertising or media tool for any craft item that  
11 has not been manufactured, assembled, fabricated, or produced  
12 within the State and that has not had at least fifty-one per  
13 cent of its wholesale value added by manufacture, assembly,  
14 fabrication, or production within the State. For the purposes  
15 of this subsection, production shall include operating and  
16 overhead expenses incurred and spent within the State."

17 SECTION 3. There is appropriated out of the general  
18 revenues of the State of Hawaii the sum of \$150,000 or so much  
19 thereof as may be necessary for fiscal year 2023-2024 and the  
20 same sum or so much thereof as may be necessary for fiscal year



1 2024-2025 for the promotion and development of the "Made in  
2 Hawaii" brand.

3 The sums appropriated shall be expended by the department  
4 of business, economic development, and tourism for the purposes  
5 of this Act.

6 SECTION 4. New statutory material is underscored.

7 SECTION 5. This Act shall take effect on July 1, 2023.



**Report Title:**

Made in Hawaii Program; Production; Appropriation

**Description:**

Clarifies that in calculating whether a non-perishable product labeled "Hawaii Made" or "Made in Hawaii" has met the requirement that at least fifty-one per cent of the wholesale value of the product is added by manufacture, processing, or production within the State; "production" includes operating and overhead expenses incurred and spent within the State. Appropriates funds to promote and develop the "Made in Hawaii" brand. (SD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

