S.B. NO. 379

JAN 2 0 2023

## A BILL FOR AN ACT

RELATING TO TIP DISCLOSURE.

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

1	SECTION 1. Chapter 481B, Hawaii Revised Statutes, is
2	amended by adding a new section to part I to be appropriately
3	designated and to read as follows:
4	" <u>\$481B-</u> Restaurant tip allocation disclosure. (a)
5	Each tipped restaurant shall publicly disclose how tips are
6	allocated to employees, including the percentage of each tip
7	that is received by the applicable waiter, waitress, server,
8	kitchen staff, and other employees.
9	(b) The information required by subsection (a) shall be
10	disclosed by public notice on a sign sized at least eight and
11	one-half inches by eleven inches, written in no less than
12	twenty-two point type, and posted in a clear and conspicuous
13	place near the restaurant's main entrance or other location
14	approved by the director of health so that the public notice may
15	be easily read by customers.
16	For purposes of this section, "tipped restaurant" means a

17 food establishment that:



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1	(1)	Serves food to customers for consumption on or off the
2		premises, including fast-food and full-service dining
3		establishments, drive-through or walk-up counters,
4		coffee shops, cafes, pizza parlors, food stands, movie
5		theater concession stands, and dine-in establishments;
6		and
7	(2)	Employs at least one individual or has employed at
8		least one individual within the prior year at an
9		hourly wage deemed to be increased on account of tips
10		pursuant to section 387-2(b)."
11	SECT	ION 2. This Act does not affect rights and duties that
12	matured,	penalties that were incurred, and proceedings that were
13	begun bef	ore its effective date.
14	SECT	ION 3. New statutory material is underscored.
15	SECT	ION 4. This Act shall take effect on January 1, 2024.
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INTRODUCED BY:



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### Report Title:

Tip Disclosure; Department of Health; Unfair and Deceptive Trade Practice; Restaurants

#### Description:

Requires restaurants to clearly disclose to customers how tips are allocated to employees.

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

