Honolulu, Hawaii

, 2011 April 28

RE:

H.B. No. 663

H.D. 2

S.D. 2

C.D. 1

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Sixth State Legislature Regular Session of 2011 State of Hawaii

Honorable Shan S. Tsutsui President of the Senate Twenty-Sixth State Legislature Regular Session of 2011 State of Hawaii

Sirs:

Your Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 663, H.D. 2, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO CONTRACTS,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this bill is to require the clear and conspicuous disclosure of automatic renewal clauses and cancellation procedures for all consumer contracts and offers containing such provisions except in the case of the regulated activities of insurers and financial institutions subject to the Insurance Code and Code of Financial Institutions, respectively.

Your Committee on Conference has amended this measure by:

Exempting mutual and fraternal benefit societies and health maintenance organizations from these requirements;

- (2) Limiting penalties to knowing violations or knowingly failing to cancel an automatic renewal contract on the request of the consumer; and
- (3) Changing its effective date to "upon approval" with the substantive provisions taking effect on July 1, 2012.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 663, H.D. 2, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 663, H.D. 2, S.D. 2, C.D. 1.

Respectfully submitted on behalf of the managers:

ON THE PART OF THE SENATE

ON THE PART OF THE HOUSE

POSALVN HO BAKER Chair

CLAYTON HEE, Co-Chair

ROBERT N. HERKES, Co-Chair

GILBERT KEITH-AGARAN, Co-Chair

Hawaii State Legislature

CCR 56

Record of Votes of a Conference Committee

HB 663, HD 2, SD 2					Date/Time: 4.28.11 10117 Au				
The recommendation of the House	and S	Senate	mana	igers					
☐ The Committee is reconsidering it.									_
The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure					The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.				
Senate Managers	A	WR	N	E	House Managers	A	WR	N	Е
BAKER, Rosalyn H., Chr.	×				HERKES, Robert N., Co-Chr.	メ			
HEE, Clayton, Co-Chr.	> -				KEITH-AGARAN, Gilbert S.C., Co-Chr.	×			
SLOM, Sam				4	BROWER, Tom			_	к
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A = Aye $WR = Aye$ with Reservations				s $N = Nay$ $E = Excused$					
Senate Recommendation is:				House Recommendation is:					
Adopted Not Adopted					🗹 Adopted 🔲 Not Adopted				
Senate Lead Chair's or Designee's Signature:					House Lead Chair's or Designee's Signature:				
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