

JAN 18 2018

A BILL FOR AN ACT

RELATING TO CONSUMER PROTECTION.

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

1 SECTION 1. Section 481B-5.5, Hawaii Revised Statutes, is
2 amended by amending subsection (1) to read as follows:

3 "(1) Any return policies adopted by the merchant pursuant
4 to this section that limits the purchaser's ability to obtain a
5 refund shall not apply if the goods were damaged or defective
6 prior to the time of sale, unless the merchant was aware of the
7 damage or defect and notified the purchaser of the damage or
8 defect in writing prior to the time of sale. All refunds for
9 goods that were damaged or defective prior to the time of sale
10 and where the purchaser was not notified of the damage or defect
11 in writing prior to the time of sale by the merchant shall
12 include all shipping and handling charges paid to the merchant
13 by the purchaser for delivery of the goods."

14 SECTION 2. This Act does not affect rights and duties that
15 matured, penalties that were incurred, and proceedings that were
16 begun before its effective date.

17 SECTION 3. New statutory material is underscored.



1 SECTION 4. This Act shall take effect upon its approval.

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S.B. NO. 2057

Report Title:

Merchandise; Returns; Refunds; Defective Goods; Damaged Goods; Shipping Charges; Handling Charges; Unfair and Deceptive Trade Practices;

Description:

Requires merchants to refund shipping and handling charges paid by the consumer when the consumer returns a damaged or defective good and requests a refund.

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

