

JAN 18 2023

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# A BILL FOR AN ACT

RELATING TO DECEPTIVE TRADE PRACTICES.

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

1           SECTION 1. The legislature finds that Hawaii residents are  
2 often barred from claiming offers for free or reduced rate  
3 shipping, which are more commonly available to purchasers in  
4 other states. Many retailers also apply an arbitrary shipping  
5 cost to Hawaii residents, which does not correlate with the  
6 actual cost of shipping.

7           The purpose of this Act is to establish that charging  
8 shipping and delivery charges that exceed the actual cost  
9 charged to the seller to ship or deliver a commodity to a  
10 consumer in the State shall constitute an unfair and deceptive  
11 practice.

12           SECTION 2. Chapter 481B, Hawaii Revised Statutes, is  
13 amended by adding a new section to be appropriately designated  
14 and to read as follows:

15           "§481B- Shipping charges. In the sale or purchase of  
16 any commodity to be shipped or delivered to a consumer in the  
17 State, if a seller imposes a separate charge for shipping or



1 delivery to a consumer, that charge shall not exceed the actual  
2 cost charged to the seller to ship or deliver the commodity to a  
3 consumer in the State."

4 SECTION 3. New statutory material is underscored.

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

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INTRODUCED BY:

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# S.B. NO. 158

**Report Title:**

Deceptive Trade Practices; Shipping Charges; Delivery Charges;  
Commodities

**Description:**

Establishes that charging shipping and delivery charges that exceed the actual cost charged to the seller to ship or deliver a commodity to a consumer in Hawaii constitutes an unfair and deceptive practice.

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

