

JAN 23 2025

A BILL FOR AN ACT

RELATING TO TRANSIENT ACCOMMODATIONS.

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

1 SECTION 1. The legislature finds that fully transparent
2 pricing from the outset of a consumer's transient accommodations
3 booking in Hawaii is paramount to their proper experience of
4 aloha. With numerous hotel brands voluntarily disclosing resort
5 and other mandatory fees upfront rather than at the final stage
6 of booking or when payment is due, the adoption of this practice
7 across the State's tourism industry is critical to ensure that a
8 consumer experiences the same pricing transparency regardless of
9 the transient accommodations type or distribution channel.

10 The legislature further finds that the establishment of a
11 single standard for hotels, motels, short-term rentals, online
12 travel agencies, metasearch sites, short-term rental platforms,
13 and other entities that offer, list, advertise, or display
14 transient accommodations will not only prevent consumers from
15 being misled, but also ensure a level of equity across the
16 tourism industry.



1 The legislature believes that requiring the upfront
2 disclosure of all fees, including resort fees, will bring the
3 State into parity with other states regarding the short-term
4 lodging economy.

5 Accordingly, the purpose of this Act is to:

6 (1) Prohibit any person from charging any fees on a
7 transient accommodation unit, room, or service that
8 were not disclosed before the time of booking;

9 (2) Require any person offering, listing, advertising,
10 soliciting, or displaying a rate or price for the use
11 or occupancy of a transient accommodation unit, room,
12 or service to disclose the total dollar amount to be
13 charged, including all fees and taxes in a clear and
14 conspicuous manner at the time of booking; and

15 (3) Establish penalties.

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

19 "§481B- Transient accommodations; total price;
20 disclosure; taxes and fees; penalties. (a) No person shall



1 charge any fee for a transient accommodation unit, room, or
2 service that was not disclosed before the time of booking.

3 (b) Any person who offers, lists, advertises, solicits, or
4 displays a rate or price for the use or occupancy of a transient
5 accommodation unit, room, or service shall disclose before the
6 time of booking, in a clear and conspicuous manner, the total
7 dollar amount that will be charged, which shall include:

8 (1) All resort fees and other fees imposed by the
9 transient accommodation; and

10 (2) All applicable taxes and fees imposed by government
11 entities.

12 (c) Any person who knew or should have known that the
13 person was in violation of this section shall be subject to a
14 civil penalty of not more than \$5,000 for each violation.

15 (d) Nothing in this section shall be construed to relieve
16 any person of their duties or obligations imposed by any other
17 law.

18 (e) For the purposes of this section:

19 "Government entity" means any department, unit, or agency
20 of the federal, state, or county governments.



1 "Person" means any individual, corporation, government,
 2 governmental subdivision or agency, business trust, estate,
 3 trust, partnership, limited liability company, association,
 4 joint venture, public corporation, unincorporated association,
 5 two or more of any of the foregoing having a joint or common
 6 interest, or any other legal or commercial entity.

7 "Resort fee" and "transient accommodations" have the same
 8 meaning as defined in section 237D-1."

9 SECTION 3. If any provision of this Act, or the
 10 application thereof to any person or circumstance, is held
 11 invalid, the invalidity does not affect other provisions or
 12 applications of the Act that can be given effect without the
 13 invalid provision or application, and to this end the provisions
 14 of this Act are severable.

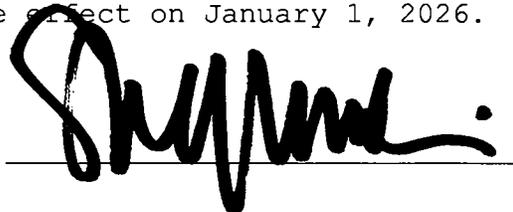
15 SECTION 4. This Act does not affect rights and duties that
 16 matured, penalties that were incurred, and proceedings that were
 17 begun before its effective date.

18 SECTION 5. New statutory material is underscored.

19 SECTION 6. This Act shall take effect on January 1, 2026.

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INTRODUCED BY:




S.B. NO. 1529

Report Title:

Transient Accommodations; Reservation Bookings; Disclosure;
Taxes; Fees; Penalties

Description:

Prohibits any person from charging any fees on a transient accommodation unit, room, or service that were not disclosed before the time of booking. Requires any person offering, listing, advertising, soliciting, or displaying a rate or price for the use or occupancy of a transient accommodation unit, room, or service to disclose at the time of booking in a clear and conspicuous manner, the total dollar amount that will be charged, including all resort fees and taxes and fees imposed by government entities. Establishes penalties. Effective 1/1/2026.

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

