

Honolulu, Hawaii

APR 24 2025

RE: S.B. No. 102  
S.D. 2  
H.D. 2  
C.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-Third State Legislature  
Regular Session of 2025  
State of Hawaii

Honorable Nadine K. Nakamura  
Speaker, House of Representatives  
Thirty-Third State Legislature  
Regular Session of 2025  
State of Hawaii

Sir and Madam:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 102, S.D. 2, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO RESTAURANTS,"

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 measure is to:

- (1) Prohibit third-party restaurant reservation services from advertising, listing, promoting, or selling restaurant reservation services without first obtaining a written agreement from the applicable restaurant authorizing the action; and
- (2) Establish a private cause of action for civil remedies.

Your Committee on Conference finds that many third-party restaurant reservation services partner with restaurants to provide



consumers with the convenience of planning their dining experiences in advance. Your Committee on Conference further finds that, although these services can be beneficial for both consumers and restaurants, there has been a growing number of third parties using predatory methods to advertise and sell restaurant reservations to consumers at high costs or without the restaurant's knowledge. This practice has negatively impacted restaurants by increasing the likelihood of no-shows which can increase costs for consumers. This measure prohibits third parties from rendering reservation services without first obtaining the express written consent from the restaurant to render such services.

Your Committee on Conference has amended this measure by:

- (1) Clarifying that no third-party restaurant reservation service shall advertise, list, promote, facilitate, enable, or sell reservations for a restaurant without the express written consent from the restaurant;
- (2) Deleting language that would have prohibited the written consent agreements from including indemnification provisions;
- (3) Removing the non-impairment clause;
- (4) Amending section 1 to reflect its amended purpose;
- (5) Making it effective upon its approval; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

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 S.B. No. 102, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 102, S.D. 2, H.D. 2, C.D. 1.



Respectfully submitted on behalf  
of the managers:

ON THE PART OF THE HOUSE

ON THE PART OF THE SENATE



SCOT Z. MATAYOSHI  
Co-Chair



CHRIS TODD  
Co-Chair



FARRITT KEOHOKALOLE  
Chair



KARL RHOADS  
Co-Chair



# Hawai'i State Legislature

CCR66

## Record of Votes of a Conference Committee

Bill / Concurrent Resolution No.: <b>SB 102, SD 2, HD 2</b>					Date/Time: <b>4/23/25</b> <b>1:45 PM</b>				
<input checked="" type="checkbox"/> The recommendation of the House and Senate managers is to pass with amendments (CD).									
<input type="checkbox"/> The Committee is reconsidering its previous decision.									
<input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure					<input type="checkbox"/> 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	E
KEOHOKALOLE, Jarrett, Chr.	✓				MATAYOSHI, Scot Z., Co-Chr.	✓			
RHOADS, Karl, Co-Chr.	✓				TODD, Chris, Co-Chr.	✓			
FUKUNAGA, Carol	✓				PIERICK, Elijah	✓			
MCKELVEY, Angus L.K.	✓								
AWA, Brenton				✓					
TOTAL	4			1	TOTAL	3			
A = Aye		WR = Aye with Reservations			N = Nay		E = Excused		
Senate Recommendation is:					House Recommendation is:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted					<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Senate Lead Chair's or Designee's Signature:					House Lead Chair's or Designee's Signature:				
<div style="display: flex; justify-content: space-between; font-size: small;"> <div> <b>Distribution:</b>            Original  <i>File with Conference Committee Report</i> </div> <div> <b>Yellow</b>  <i>House Clerk's Office</i> </div> <div> <b>Pink</b>  <i>Senate Clerk's Office</i> </div> <div> <b>Goldenrod</b>  <i>Drafting Agency</i> </div> </div>									