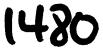
STAND. COM. REP. NO.



, 2025

Honolulu, Hawaii

MAR 2.1

RE: S.B. No. 1035

S.D. 2 H.D. 1

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

## Madame:

Your Committee on Consumer Protection & Commerce, to which was referred S.B. No. 1035, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Prohibit businesses from offering, displaying, or advertising live-event tickets or short-term lodging without clearly and conspicuously disclosing the maximum total price of all fees or charges, with some exceptions; and
- (2) Specify that a misrepresentation of any fee or charge in any offer, display, or advertisement for live-event tickets or short-term lodging is an unfair or deceptive act or practice.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs; PonoRez; Rick Bartalini Presents, LLC; American Hotel & Lodging Association; and Hawai'i Hotel Alliance. Your Committee received comments on this measure from the American Express Company.

Your Committee finds that price is material to a consumer's decision about whether to purchase a good or service. Consumers look for prices to comparison shop and weigh what a good or service might be worth. However, some businesses force consumers to go to multiple sites and click through multiple web pages before learning the true total price of a good or service. Consumer harm is particularly pronounced in the live-event ticketing and short-term lodging industries because the offered goods or services are often identical or nearly identical, with the most salient feature being the total price, which is shrouded from consumers. This measure is designed to address the harmful practices of bait-and-switch pricing and misleading fees and charges by mandating price transparency in these industries.

Your Committee has amended this measure by:

- (1) Explicitly stating that offering, displaying, or advertising any price of a covered good or service without clearly and conspicuously disclosing the total price, or misrepresenting any fee or charge, is an unfair and deceptive practice;
- (2) Requiring that when the final amount of payment is displayed in an offer, display, or advertisement, it shall be displayed more prominently than, or as prominently as, the total price;
- (3) Clarifying the clearly and conspicuously disclosure requirements;
- (4) Including a definition of "ancillary good or service" and amending the definition of "total price";
- (5) Changing the effective date to July 1, 3000, to encourage further discussion; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1035, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto

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as S.B. No. 1035, S.D. 2, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Respectfully submitted on behalf of the members of the Committee on Consumer Protection & Commerce,

SCOT Z. MATAYOSHI, Chair

## State of Hawaii



## Record of Votes of the Committee on Consumer Protection & Commerce

Bill/Resolution No.: SB1035, SD2	CPC, JHA	D	Date: 3/18/25	
The committee is reconsidering its previous decision on the measure.				
The recommendation is to:  Pass, unamended (as is)  Pass, with amendments (HD)  Hold  Pass short form bill with HD to recommit for future public hearing (recommit)				
<b>CPC Members</b>	Ayes	Ayes (WR)	Nays	Excused
1. MATAYOSHI, Scot Z. (C)				
2 CHUN Com M (NO)				
2. CHUN, Cory M. (VC)	V			
3. ILAGAN, Greggor				
4. ICHIYAMA, Linda	V			
5. IWAMOTO, Kim Coco			5	
5. IWAMOTO, KIIII C0c0				
6. KONG, Sam Satoru				
7. LOWEN, Nicole E.	V			
8. MARTEN, Lisa				
o. WARTEN, LISA				
9. TAM, Adrian K.				
10. PIERICK, Elijah				<b>✓</b>
TOTAL (10)	8			2
The recommendation is: Adop		did not support recommendation.		
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) Chief Clerk's Office Duplicate (Pink) – HMSO				