

JAN 17 2025

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# 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 Hawaii transient  
3 accommodations booking journey--is paramount to enjoying a  
4 proper experience of aloha. Numerous hotel brands have already  
5 voluntarily implemented transparent pricing practices by  
6 displaying resort and other mandatory fees up front, rather than  
7 only before a booking's finalization.

8       The legislature further finds that consumers should have  
9 access to the same pricing transparency, regardless of the  
10 transient accommodations type or channel of distribution. The  
11 legislature also finds that the establishment of a single  
12 standard for a mandatory display of fees across the tourism  
13 ecosystem's entirety--from hotels, motels, and short-term rental  
14 accommodations to online travel agencies, metasearch sites, and  
15 short-term rental platforms--will not only prevent consumers  
16 from being misled but also ensure a level playing field across  
17 the tourism industry.



# S.B. NO. 1144

1           Therefore, the purpose of this Act is to require transient  
2 accommodations brokers and any other persons or entities to:

3           (1) Offer, list, advertise, or display a transient  
4 accommodations rental rate that includes all resort  
5 fees required for the furnishing of transient  
6 accommodations; and

7           (2) Include all applicable taxes and fees imposed by a  
8 government on the stay in the total price to be paid  
9 before a consumer reserves the furnishing of transient  
10 accommodations.

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

14           "**S481B-       Transient accommodations; fee transparency.**

15           (a) No transient accommodations broker or any other person or  
16 entity shall offer, list, advertise, or display a transient  
17 accommodations rental rate that does not include all resort fees  
18 required for the furnishing of transient accommodations.

19           (b) Transient accommodations brokers and all other persons  
20 or entities shall include all applicable taxes and fees imposed



1 by a government on the stay in the total price to be paid before  
2 a consumer reserves the furnishing of transient accommodations.

3 (c) Transient accommodations brokers and all other persons  
4 or entities that knew or should have known that they offered,  
5 listed, advertised, or displayed a transient accommodations  
6 rental rate in violation of this section shall be subject to a  
7 civil penalty not exceeding \$10,000 for each violation.

8 (d) An action to enforce this section may be brought by  
9 the attorney general or a prosecuting attorney of any county.

10 (e) The duties and obligations imposed by this section  
11 shall:

12 (1) Be in addition to any other duties or obligations  
13 imposed by law; and

14 (2) Not be construed to relieve any person or entity from  
15 any other duties or obligations imposed by law.

16 (f) As used in this section:

17 "Resort fee" has the same meaning as in section 237D-1.

18 "Taxes and fees imposed by a government on the stay" means  
19 taxes levied under chapter 237, taxes levied under chapter 237D,  
20 and any applicable transient accommodations taxes levied by a  
21 county.



1       "Transient accommodations" has the same meaning as in  
2 section 237D-1.

3       "Transient accommodations broker" has the same meaning as  
4 in section 237D-1.

5       "Transient accommodations rental rate" means the rate,  
6 before the inclusion of taxes and fees imposed by a government  
7 on the stay, at which transient accommodations are to be  
8 furnished to a consumer."

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.



S.B. NO. 1144

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INTRODUCED BY:

Lyn DeCorte BR



# S.B. NO. 1144

**Report Title:**

Transient Accommodations; Rates; Transparency; Unfair Method of Competition; Unfair or Deceptive Acts; Penalties

**Description:**

Requires transient accommodations brokers and any other persons or entities to offer, list, advertise, or display a transient accommodations rental rate that includes all resort fees required for the furnishing of transient accommodations.

Requires transient accommodations brokers and any other persons or entities to include all applicable taxes and fees imposed by a government on the stay in the total price to be paid before the consumer reserves the furnishing of transient accommodations. 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.*

