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**Testimony of the Department of Commerce and Consumer Affairs**

**Before the  
House Committee on Judiciary & Hawaiian Affairs  
Tuesday, March 24, 2026  
2:00 p.m.  
Via Videoconference  
Conference Room 325**

**On the following measure:  
S.B. 83, S.D. 2, H.D. 1, RELATING TO HOTELS**

Chair Tarnas and Members of the Committee:

My name is Emma Olsen, and I am an Enforcement Attorney for the Department of Commerce and Consumer Affairs' (Department) Office of Consumer Protection (OCP). The Department appreciates the intent of this bill and offers comments.

This bill addresses a well-recognized problem of informational asymmetry, where hotels possess real-time knowledge of material service disruptions—such as construction, labor disputes, or unavailable amenities—while prospective guests, particularly out-of-state or international travelers, must make reservation decisions based on incomplete or outdated information.

This imbalance is especially significant in Hawaii, where visitors often incur substantial, non-refundable travel costs and rely heavily on representations about the quality and nature of their stay. Without timely disclosure of foreseeable service disruptions, hotel guests may unknowingly book accommodations that do not reflect their

reasonable expectations. Without laws protecting them, they may have limited ability to cancel or adjust plans once disruptions arise. This bill appropriately places the burden of disclosure on the party best positioned to know and disclose these conditions, thereby promoting transparency and informed decision-making.

While the notice and cancellation provisions are important, the previous Committee's amendments removed enforcement remedies, significantly weakening this measure. Without meaningful consequences for noncompliance, there is little incentive for bad actors to provide timely and accurate disclosures, particularly where nondisclosure may preserve revenue. The absence of remedies risks rendering the bill largely aspirational, rather than creating a functional consumer protection.

For these reasons, we respectfully urge the Committee to restore appropriate enforcement mechanisms including statutory damages and allowing guests to cancel a reservation, or remaining period thereof, and prohibiting hotelkeepers from imposing any fee, penalty, or other charge, or retaining any deposit of a guest who cancels a reservation, if a service disruption occurs or is likely to exist during the reservation period. Restoring these provisions would give substance to the bill's protections.

It appears that the remaining concerns raised in the testimony submitted by the hotels could largely be addressed by focusing on the definition of "service disruption," since the scope of the burden imposed on hotels is directly tied to the definition of "service disruption." News coverage, particularly from Oahu, some of it identified below, highlights some visitor dissatisfaction tied to a lack of advance notice about labor activity at hotels, including lawful picketing and strikes. These reports suggest the definition of "service disruption" should focus, at minimum, on appropriately capturing labor activity that caught visitors off guard. Exploring appropriate definition of "service disruption" may be an appropriate subject for the next Committee should this measure pass.

During the 2024 labor disputes involving thousands of workers at major Waikiki properties such as the Hilton Hawaiian Village Waikiki Beach Resort, guests reported being caught off guard by active picket lines, noise, and significant service disruptions upon arrival. Some visitors indicated they were unaware of the strike until check-in or even after waking up to "drum beats, whistles and chants," while others described long

lines, lack of housekeeping, and limited access to basic services like soap or front desk assistance.<sup>1</sup> These reports reflect that, although the labor activity itself was lawful and visible on-site, the absence of prior disclosure left travelers unable to make informed decisions or adjust plans in advance, contributing to frustration and diminished guest experiences.

The widespread use of mandatory arbitration agreements, which may be embedded in online booking terms and conditions, can limit individuals' access to the courts by requiring disputes to be resolved in private forums rather than through public judicial processes. These provisions are typically presented on a take-it-or-leave-it basis, without meaningful opportunity for negotiation, and may include class action waivers, confidentiality requirements, and cost-shifting provisions that deter individuals from pursuing claims. As a result, even where consumers experience legitimate harm, the ability to seek redress is often constrained, fragmented, or economically impractical, reducing both accountability and the development of public legal standards.

This bill should include a safeguard ensuring that its consumer protections cannot be contractually waived. Specifically, the bill should be amended to provide that any contractual provision, whether in a booking agreement or otherwise, that purports to waive a guest's right to receive the required notices of service disruptions is unenforceable and void as against public policy. Without such a provision, hotels could effectively circumvent the statute through standard-form agreements, undermining the Legislature's intent to correct informational asymmetry and ensure informed consumer decision-making. Ensuring that these rights are non-waivable preserves the integrity of the statute and guarantees that its protections are meaningful.

Should the Committee pass this bill, we respectfully request the following amendments:

- (1) Restore the following enforcement provisions:

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<sup>1</sup> Cruz, Catherine, "Visitors Share Impacts of Indefinite Labor Strike at Hilton Hawaiian Village," Hawaii Public Radio, available at [hawaiipublicradio.org/the-conversation/2024-09-27/visitors-labor-strike-at-hilton-hawaiian-village-unite-here](https://hawaiipublicradio.org/the-conversation/2024-09-27/visitors-labor-strike-at-hilton-hawaiian-village-unite-here) (last accessed 3/21/2026); Kelleher, Jennifer Sinco, "Union Workers at Hawaii's Largest Hotel Go On Strike," AP News, available at [Union workers at Hawaii's largest hotel go on strike | AP News](https://www.apnews.com/story/union-workers-at-hawaii-s-largest-hotel-go-on-strike)

- a. From the Senate Draft 2, at page 4, line 19, to page 5, line 7: “At the onset of a service disruption, the keeper shall immediately and clearly notify all guests and hotel service users of the service disruption pursuant to subsections (a) and (b). A guest may terminate any remaining period of a reservation, booking, or agreement for the use of a room or hotel service and the keeper shall not impose any fee, penalty, or other charge for the termination or retain any deposit related to any unused portion of the period of the reservation, booking, or agreement following the onset of the service disruption.”
- b. From the Senate Draft 2, at page 5, lines 8-11: “Any keeper that violates or causes another person to violate this section shall forfeit to the injured party three times the amount of the sum charged in excess of what the keeper is entitled to.”

(2) Insert a new subsection making any waiver or attempted waiver of a guest’s right to receive the notices of service disruptions required by this Act unenforceable and void as against public policy.

Thank you for the opportunity to testify on this bill.



Maui Hotel & Lodging  
ASSOCIATION

COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

Rep. David A. Tarnas, Chair  
Rep. Mahina Poepoe, Vice Chair

**March 22, 2026**

**Testimony in Opposition of SB83 SD2 HD1**

Aloha Chair Tarnas, Vice Chair Poepoe and Members of the Committees:

Thank you for the opportunity to provide testimony in **opposition** to SB83 SD2 HD1.

While the Maui Hotel and Lodging Association supports efforts to ensure visitors have positive experiences while traveling in Hawai'i, SB83 SD2 would create **significant operational challenges and legal exposure for hotels** without meaningfully improving guest protections.

Hotels operate complex, 24-hour businesses where temporary disruptions can occur despite best efforts to prevent them. The bill's definition of "service disruption" is extremely broad and includes routine operational issues such as temporary amenity closures, technology outages, elevator repairs, or construction-related noise. Many of these conditions are **short-term, unpredictable, or outside of the hotel's control**, yet the bill would require immediate system-wide notifications and allow guests to cancel reservations without penalty.

This measure would also require hotels to notify **all third-party vendors and update all booking channels within 24 hours**. In practice, hotels distribute inventory across numerous third-party platforms, including online travel agencies, wholesalers, and corporate booking systems. Hotels **do not always control the timing or content updates on these platforms**, making compliance with the bill's requirements difficult or impossible in some cases.

Additionally, the bill allows penalty-free cancellations whenever a service disruption is "likely" to exist during a reservation period. This provision could result in **significant last-minute cancellations, lost revenue, and operational uncertainty**, particularly for group bookings and peak travel periods when rooms cannot easily be resold.

The bill also establishes **treble damages for violations**, creating substantial litigation risk for hotels over routine operational issues such as temporary internet outages, elevator repairs, or demonstrations occurring near a property that the hotel cannot control.

Hotels already have strong incentives to address disruptions quickly and communicate transparently with guests. Reputation management, brand standards, and existing consumer protection laws already encourage hotels to resolve service issues and provide accommodations when needed.

For these reasons, we respectfully urge the Committees to **defer SB83 SD2 HD1**.

Mahalo for the opportunity to provide testimony.

Respectfully submitted,  
John Pele

A handwritten signature in black ink, appearing to read 'John Pele', with a long horizontal flourish extending to the right.

Executive Director- Maui Hotel and Lodging Association



House Committee on Judiciary & Hawaiian Affairs  
Rep. David Tarnas, Chair  
Rep. Mahina Poepoe, Vice Chair

### **Testimony with comments on SB 83 SD2 HD1**

Chair Tarnas, Vice Chair Poepoe, and Members of the Committee,

UNITE HERE Local 5 represents over 10,000 workers in hotels, health care, airports and food service across Hawai'i.

We urge the Committee to **amend SB 83 SD2 HD1** in order to make it an effective consumer protection measure. In order for our state's most prominent industry to thrive, visitors should have the opportunity to plan around any complications that might arise during their trips. When visitors are provided with important information about their travel and given options for resolving problems that come up, this helps boost Hawai'i's visitor-friendly reputation and consumer confidence in Hawai'i as a travel destination. On the other hand, when visitors learn about problems with their accommodations upon check-in or later, it can cause frustration, uncertainty, and a lack of trust. These frustrations may be directed toward front-line hotel workers, which adds unnecessary stress to already stressful jobs.

It does not benefit anyone in the industry for visitors to leave Hawai'i upset about aspects of their time here. When it is possible to inform guests about disruptions and help them plan around inconveniences, we should ensure that hoteliers do so.

### **Amendments needed**

**In its current form, SB 83 SD2 HD1 does very little to protect consumers.** It fails for several reasons:

- 1) There are no penalties for hotels that fail to notify guests about potential service disruptions. Penalties suggested in the original bill have been removed from HD1. While the bill still "requires" hotels to notify guests, a requirement that cannot be enforced is not very meaningful.
- 2) The bill does not protect consumers by mandating that they be allowed to cancel or change their reservations or get their money back. The HD1 version of the bill struck language that previously allowed for this. If a hotel is not providing the services advertised, or the services guests expect at booking, they deserve to be able to determine whether the services offered and the conditions in place are still worth the money they are already paying. Providing good and predictable visitor experiences is important to the long term health and credibility of the visitor industry.

We further recommend that visitors be given the opportunity for a private right of action, because this is the most effective way to ensure enforceability and actual enforcement.

- 3) The HD1 version of the bill removes several categories of service disruptions. It excludes construction work; unavailability of amenities or services; unavailability of in-room appliances and technology; unavailability of accessibility features; unavailability of utilities; and labor picketing and demonstrations. Excluding these categories does not help build trust with consumers.

These three major aspects of SB 83 SD2 HD1 must be fixed if the bill is intended to have any impact or meaning at all. The best way to achieve this is to **amend SB 83 to mirror HB 945** (attached). Even under its SD2 version, there were several changes that could have benefited the bill's effectiveness in consumer protection; but with those too, adopting the language of HB 945 is the best solution.

This legislation was already passed and is in effect for the State of New Jersey and for New York City.

With these changes, this legislation could go a long way toward protecting consumers and maintaining a positive image of Hawai'i even for those who face service disruptions.

Thank you.

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## A BILL FOR AN ACT

RELATING TO HOTELS.

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

1           SECTION 1. The legislature finds that tourism is a major  
2 contributor to the State's economy. Travelers come from around  
3 the globe to experience Hawaii's natural beauty, culture, and  
4 diversity.

5           The legislature further finds that travelers staying at  
6 hotels are vulnerable to disruptions to accommodation services.  
7 They are often unfamiliar with local conditions and lack  
8 alternative accommodations during their stay. The legislature  
9 also finds that hotel guests will frequently be unaware of pest  
10 infestations; construction work; noisy demonstrations; work  
11 stoppages, strikes, or lockouts; or the unavailability of  
12 advertised amenities at the hotel when they make reservations  
13 and may experience difficulty canceling their reservations upon  
14 arriving and discovering such disruptions.

15           The legislature additionally finds that ensuring that hotel  
16 guests are notified of any service disruption, or the  
17 possibility of a service disruption, and are permitted to



1 terminate reservations without financial consequences is  
2 essential to protect travelers from the effects of service  
3 disruptions and to ensure the continued vitality of Hawaii's  
4 tourism and hotel sector.

5 Therefore, the purpose of this Act is to:

6 (1) Require a hotel to provide notification of a service  
7 disruption to all third-party vendors and prospective  
8 and current guests; and

9 (2) Prohibit a hotel from imposing any fee, penalty, or  
10 other charge, or retaining any deposit, if, before  
11 check-in, a guest cancels a reservation due to a  
12 service disruption, unless the hotel provided prior  
13 notification.

14 SECTION 2. Chapter 486K, Hawaii Revised Statutes, is  
15 amended by adding a new section to be appropriately designated  
16 and to read as follows:

17 "§486K- Hotel; service disruption; notification. (a)

18 At the onset of a service disruption or of notice that a service  
19 disruption may occur, a hotel shall provide notification of the  
20 service disruption to:

21 (1) Each third-party vendor;



1        (2) Each potential guest immediately before accepting or  
2        entering into any new reservation, booking, or  
3        agreement:

4        (A) For the use or occupancy of a room or hotel  
5        service that could be substantially affected by  
6        the service disruption; or

7        (B) With a third-party vendor for the use or  
8        occupancy of a room or hotel service that could  
9        be substantially affected by the service  
10       disruption; and

11       (3) Any current guest who is substantially affected by the  
12       service disruption.

13       Where the circumstances of a service disruption make timely  
14       notification impracticable, notification shall be made as soon  
15       as practicable.

16       (b) The notification required by this section shall  
17       describe the following:

18       (1) The nature of the service disruption; and

19       (2) The extent of the service disruption's effect on  
20       reservations, bookings, or agreements to use or occupy  
21       a room or hotel services, including the right to



1 cancel or terminate the reservation, booking, or  
2 agreement for the use or occupancy of a room or hotel  
3 services without the imposition of any fee, penalty or  
4 other charge, as provided in subsections (c) and (d).

5 If notification is included in a communication containing  
6 other information, the notification shall be clear and  
7 conspicuous and in a significantly larger font and different  
8 color than the remainder of the communication.

9 (c) No hotel shall impose any fee, penalty, or other  
10 charge, or retain any deposit, if a guest, before checking in,  
11 cancels a reservation, booking, or agreement with the hotel for  
12 the use or occupancy of a room, where a guest's stay or room  
13 could be substantially affected by a service disruption during  
14 the guest's stay or use of a hotel service, unless the hotel  
15 provided notice of the service disruption pursuant to  
16 subsections (a) and (b) before accepting a reservation, booking,  
17 or agreement.

18 (d) Where a service disruption arises only after any guest  
19 of a room has checked in, the hotel shall clearly and  
20 conspicuously notify the guest of such service disruption within  
21 twenty-four hours of becoming aware of the service disruption,



1 as provided in subsection (a). The notification shall specify  
2 the requirements set forth in this section.

3 At the onset of a service disruption or of notice that a  
4 service disruption may occur, the hotel shall immediately and  
5 clearly provide notification of the service disruption pursuant  
6 to subsections (a) and (b).

7 Regardless of whether the hotel provides notification  
8 pursuant to this subsection, the guests of a room or guests  
9 using a hotel service may terminate any reservation, booking, or  
10 agreement for the rental of the room or use of a hotel service,  
11 and the hotel shall not impose any fee, penalty or other charge  
12 for such termination, nor retain any deposit related to any  
13 unused portion of the period of the reservation, booking, or  
14 agreement, following the onset of a service disruption.

15 (e) Any hotel that violates or causes another person to  
16 violate this section shall forfeit to the injured party three  
17 times the amount of:

18 (1) The sum charged in excess of what the hotel is  
19 entitled to for each day that a notification was  
20 required under subsection (a), (b), or (d) but was not  
21 provided; and



1       (2) Any fee, penalty, or other charge or deposit imposed  
2               or retained in violation of subsection (c).

3       (f) Any person who is injured by any violation of this  
4 section may:

5       (1) Sue for damages sustained by the person and, if the  
6               judgment is for the plaintiff, the plaintiff shall be  
7               awarded a sum of no less than \$1,000 or threefold  
8               damages sustained by the plaintiff, whichever is  
9               greater, and reasonable attorney's fees together with  
10              the costs of the suit; and

11       (2) Bring proceedings to enjoin the violation, and if the  
12              decision is for the plaintiff, the plaintiff shall be  
13              awarded reasonable attorney's fees together with the  
14              costs of the suit.

15       The remedies under this subsection are cumulative and may  
16 be brought in a single action.

17       (g) As used in this section:

18       "Service disruption" means any of the following conditions:

19       (1) Construction work in or directly related to the hotel  
20              that creates excessive noise that is substantially  
21              likely to disturb a guest, other than construction



- 1           that is intended to correct an emergency condition or  
2           other condition that requires immediate attention;
- 3       (2) Conditions of which the hotel is aware indicating the  
4           presence in the hotel of any infestation by bed bugs,  
5           lice, or other insects, rodents, or other vermin  
6           capable of spreading disease or being carried,  
7           including on one's person, if the infestation is not  
8           fully treated within twenty-four hours of being  
9           identified;
- 10       (3) The unavailability, for a period of forty-eight hours  
11           or more, of any:
- 12           (A) Advertised hotel amenity, including but not  
13               limited to a pool, spa, shuttle service, internet  
14               access, or food and beverage service;
- 15           (B) Advertised room appliances or technology,  
16               including but not limited to in-room  
17               refrigerators or internet or Wi-Fi services; or
- 18           (C) Advertised or legally required accessibility  
19               feature, including but not limited to an  
20               elevator, wheelchair lift, ramp, or accessible



1                    bathroom in a room or in any common area of the  
2                    hotel;

3            (4) The unavailability for a period of twenty-four hours  
4            or more of any utility, including but not limited to  
5            gas, water, or electricity, when the unavailability  
6            affects only the location of the hotel;

7            (5) Any strike, lockout, or other work stoppage; or

8            (6) Any lawful picketing or demonstration at or adjacent  
9            to the hotel:

10           (A) That creates noise that disturbs a guest of the  
11           hotel; or

12           (B) That the hotel has notice of and that is likely  
13           to create noise that may disturb a guest of the  
14           hotel.

15           "Third-party vendor" means a vendor with which a hotel has  
16           an arrangement for third-party room reservations, or any other  
17           entity that has reserved or entered into an agreement or booking  
18           for the use or occupancy of one or more rooms in a hotel in  
19           furtherance of the business of reselling rooms to guests."



# H.B. NO. 945

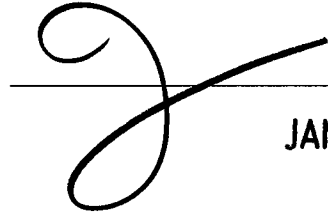
1 SECTION 3. This Act does not affect rights and duties that  
2 matured, penalties that were incurred, and proceedings that were  
3 begun before its effective date.

4 SECTION 4. New statutory material is underscored.

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

6

INTRODUCED BY:



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JAN 21 2025



# H.B. NO. 945

**Report Title:**

Hotel; Service Disruptions; Notification

**Description:**

Requires a hotel to provide notification of a service disruption, or that a service disruption may occur, to all third-party vendors and prospective and current guests. Prohibits a hotel from imposing any fee, penalty, or other charge, or retaining any deposit: if before check-in, a guest cancels a reservation due to a service disruption, unless the hotel provided prior notice; or if the service disruption arises after check-in, regardless of whether the hotel provided prior notification.

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





AMERICAN HOTEL & LODGING ASSOCIATION



March 24, 2026

Representative David A. Tarnas, Chair,  
Representative Mahina Poepoe, Vice Chair,  
and Members of the House Committee on  
Judiciary & Hawaiian Affairs

Testimony in Opposition to SB 83, SD 2, HD1  
Relating to Hotels

Aloha Chair Tarnas, Vice Chair Poepoe, and  
Members of the House Committee on Judiciary & Hawaiian Affairs:

Hawaii Hotel Alliance (“**HHA**”) and American Hotel & Lodging Association (“**AHLA**”) oppose SB 83, SD 2, HD1. We believe transparency is an important element of one’s lodging experience, and that consumer expectations – particularly about those services or amenities they anticipate during their hotel stay – have a valid correlation with their experience of aloha.

Although SB 83, SD 2, HD1 seeks to codify such transparency, the overly prescriptive elements of “service disruptions”, coupled with untenable notification stipulations, would force hoteliers into regularly undermining their ability to lead with aloha in guest interactions.

The following are a few sample matters which underscore the flaws inherent in SB 83, SD 2, HD1:

- SB 83, SD 2, HD1 miscomprehends how consumers book hotel stays, and who therefore has access to guest contact information to “notify” them of “disruptions” pre-arrival. For example, hotels are unable to “notify” guests who book through online travel agencies.
- SB 83, SD 2, HD1 would legislate interference in banquet service contracts, which already provide non-performance and other disruption-minded remedies.
- SB 83, SD 2, HD1 would require hotels to provide notices based on speculation that a service disruption might occur. Notices should only be required for actual known disruptions.

While we oppose SB 83, SD2, HD1, the following amendments would bring it into a more workable format:

1. **Section 2, Subsection (a).** Delete the strikethrough language and add the underlined language below:

(a) Within ~~forty-eight~~ twenty-four hours of the ~~known occurrence~~ onset of a service disruption ~~or upon receiving notice that a service disruption may occur,~~ a hotelkeeper shall authorize an employee to provide, in all modifiable mediums where the hotel advertises or solicits customers, or through which customers can book or reserve rooms or hotel services, notice of the service disruption to each third-party vendor ~~or and~~ guest who is seeking or has entered into a reservation, booking, or agreement with the keeper ~~or a third-party vendor~~ for the use or occupancy of a room or hotel service while such service disruption will remain in effect. The keeper shall provide notice before accepting or entering into any new direct reservation, booking, or agreement for the use of a room or hotel service; provided that if the circumstances of the service disruption make timely notice impracticable, the keeper shall provide notice as soon as practicable. Where a third-party vendor has received such a notice from a keeper, the third-party vendor shall provide the keeper's notification to any guest who is seeking or has entered into a reservation, booking, or agreement with the third-party vendor for the use or occupancy of an applicable room or hotel service.

2. **Section 2, Subsection (c).** Delete the strikethrough language and add the underlined language below:

(c) At the ~~known occurrence~~ onset of a service disruption ~~or upon receiving notice that a service disruption may occur,~~ the keeper shall also provide notice as soon as practicable to immediately and clearly notify all existing guests of the service disruption pursuant to subsections (a) and (b).

3. **Section 2, Subsection (d).** Delete the strikethrough language and add the underlined language below:

(d) As used in this section:

"Guest" includes a hotel service user.

"Hotel service" means work performed in connection with the operation of a hotel, ~~including but not limited to~~ include the letting of guest rooms ~~or meeting rooms,~~ or the non-contractual provision of food or beverage ~~services, banquet services,~~ or spa services to the guests of such at the hotel.

"Service disruption" means any of the following conditions if such conditions cannot be reasonably mitigated by the hotelkeeper with respect the guest:

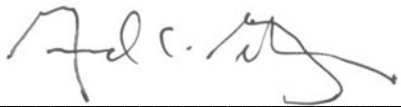
(1) Conditions that the hotelkeeper is aware of that indicate the presence in the hotel of ~~any~~ infestation by bed bugs, lice, ~~or other insects~~ or rodents or other vermin identified by the U.S. Centers for Disease Control and Prevention as capable of spreading disease or being carried, including on one's person; provided that the infestation has not been fully treated by a licensed exterminator within twenty-four hours of the identification of the infestation; ~~or~~

~~(2) Any strike, lockout, or other work stoppage.~~

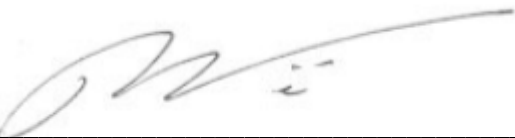
"Third-party vendor" means a vendor with which a hotelkeeper has an arrangement for third-party room reservations or any other unaffiliated entity that has reserved or entered into an agreement or booking for the use or occupancy of one or more rooms in a hotel in furtherance of the business of reselling the rooms to guests.

For these reasons, HHA and AHLA respectfully oppose SB 83, SD 2, HD1 and request that the committee either amend the bill as requested or hold the bill.

Hawaii Hotel Alliance

By   
Gerard Gibson  
President

American Hotel & Lodging Association

By   
Kekoa McClellan for The American Hotel  
and Lodging Association  
Principal, The McClellan Group



March 22, 2026

Representative David Tarnas, Chair  
Representative Mahina Poepoe, Vice Chair  
House Committee on Judiciary and Hawaiian Affairs  
Hawaii State Legislature

### **Opposition to SB 83 SD2 HD1**

Dear Chair Tarnas, Vice Chair Poepoe, and Members of the House Judiciary and Hawaiian Affairs Committee,

Thank you for the opportunity to share why we oppose SB83 SD2 HD1.

In an ideal world, there would never be a service disruption at a hotel. But unfortunately, service disruptions can and do occur. When service disruptions occur, our hotels manage them immediately, through corporate policies established by their respective brands, and in direct partnership with the impacted guests.

Our aim is to always make it right, but what right looks like for each guest is unique.

Right can be a refund, or a return of points, or assistance with moving a guest's stay to a neighboring hotel. Right can be waiving cancellation fees, providing a complimentary meal, an alternative experience, or access to an amenity not currently available at one hotel, in partnership with another. **Right is not one size fits all.**

While the intentions of SB83 SD2 HD1 may be for consumer protection, we believe this bill is overreaching, as it lumps together service disruptions that should be handled individually.

The requirement to notify everyone - guests, future guests and third-party vendors - within all forms of communication, does not take into consideration the localized nature of these types of disruptions.

For example, one of our member properties has more than 600 hotel rooms. Those rooms are housed in separate buildings over a 62-acre campus. If they receive a complaint about a pest infestation such as bed bugs, they immediately address it by relocating the guests to another room, closing the impacted and adjoining rooms on both sides (3 rooms total), and calling in a pest inspector for service. The pest inspector first needs to verify *if* there is indeed an infestation, as guests may have experienced some other skin irritation they attributed to bed bugs, when bed bugs were not the issue.

Getting a professional exterminator into the property to make the determination if there is an infestation can take time. If it's not a pest that local on-island exterminators are familiar with (as we've seen with the rise of new invasive species throughout the state), it can take even more time. The 24-hour timeframe this bill calls for may not be feasible, especially for neighbor island properties that may need to fly in experts from Oahu.

But in this scenario, if there was indeed an infestation of bed bugs, the pest control company has established protocols for treating it, before it would certify when those rooms can be reopened. We believe that policy adequately addresses the challenge, and makes it right for the impacted guests, without unnecessarily damaging the reputation and experience of the guests staying in the other 597 rooms at the property.

In terms of labor disputes, some of our member properties have unionized labor, while others do not. The four resorts and eight hotels along the Kohala Coast are all managed by different corporations and brands, who have different labor agreements. In this scenario, if a labor dispute occurred at a hotel with a unionized workforce, and those workers held a strike, potentially causing noise disturbances and impeding access to other hotels within that resort, would the hotels that were not involved in that labor dispute still need to let their customers and vendors know about a strike over which they have no control?

Finally, we believe this bill unnecessarily targets **hotels** for service disruptions, when the issues identified (pest infestations or labor disputes) could also disrupt service at other public facing employers, including hospitals, schools, and county and state governments.

On behalf of our 5,500 employees and the 20,000 Hawaii Island residents they support, mahalo for the opportunity to share why we are opposing Bill SB 83 SD2 HD1.

Sincerely,



Stephanie Donoho, Administrative Director

Craig Anderson, Mauna Kea Resort – President  
Charlie Parker, Four Seasons Hualalai – Vice President  
Pete Alles, Mauna Lani Auberge Resorts Collection – Treasurer  
Mark Goldrup, Waikoloa Beach Marriott – Secretary  
Samantha Jones, Fairmont Orchid – Board of Directors  
Scott Head, Waikoloa Land Company – Board of Directors  
Nicholas Kuhns, Hilton Waikoloa Village – Board of Directors  
Rob Gunthner, Hilton Grand Vacations – Board of Directors  
Pat Fitzgerald, Hualalai and Mauna Lani Resorts – Board of Directors  
Daniel Scott, Rosewood Kona Village – Board of Directors



# MAUI

CHAMBER OF COMMERCE

VOICE OF BUSINESS

**HEARING BEFORE THE HOUSE COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS  
HAWAII STATE CAPITOL, HOUSE CONFERENCE ROOM 325  
TUESDAY, MARCH 24, 2026 AT 2:00 P.M.**

To The Honorable Representative David A. Tarnas, Chair  
The Honorable Representative Mahina Poepoe, Vice Chair  
Members of the Committee on Judiciary & Hawaiian Affairs

**OPPOSITION TO SB83 SD2 HD1 RELATING TO HOTELS**

The Maui Chamber of Commerce respectfully submits testimony in opposition to SB83 SD2 HD1. While we support efforts to ensure positive visitor experiences in Hawai'i, this measure would create significant operational challenges and legal risk for lodging providers without substantially improving guest protections.

The bill defines "service disruption" too broadly, capturing routine and often unavoidable issues such as temporary maintenance, amenity closures, or technology outages. Requiring immediate, systemwide notifications for these short-term or unpredictable situations is impractical and burdensome.

SB83 also mandates rapid updates across numerous third-party booking platforms, which hotels do not fully control, making compliance difficult. Additionally, allowing penalty-free cancellations based on the possibility of a disruption could lead to last-minute cancellations, lost revenue, and operational uncertainty—especially during peak travel periods.

For these reasons, the Maui Chamber of Commerce respectfully asks that SB83 be deferred.

Sincerely,

Pamela Tumpap  
President

To advance and promote a healthy economic environment for business, advocating for a responsive government and quality education, while preserving Maui's unique community characteristics.

**INTERNATIONAL  
LONGSHORE &  
WAREHOUSE UNION**



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The Thirty-Third Legislature  
Regular Session of 2026

**THE HOUSE OF REPRESENTATIVES**

Committee on Judiciary and Hawaiian Affairs

Rep. David A. Tarnas, Chair

Rep. Mahina Poepoe, Vice Chair

Hawaii State Capitol

Conference Room 325 & Videoconference

March 24, 2026 2:00 p.m.

**TESTIMONY OF THE ILWU INTERNATIONAL – HAWAII  
ON SB83 SD2 HD1 RELATING TO HOTELS**

Chair Tarnas, Vice Chair Poepoe, and Members of the Committee,

My name is Brandon Wolff, and I serve as the ILWU International Vice President Hawai'i. I submit testimony in strong support of SB83 on behalf of the International Longshore and Warehouse Union (ILWU) and the thousands of hotel workers we represent across our state. Our hotel workers are on the front lines of Hawai'i's tourism industry, working every day to ensure guests have a positive experience. When visitors arrive expecting certain accommodations but instead encounter major service disruptions, it harms the visitor experience, damages the reputation of Hawai'i's hospitality industry, and ultimately impacts the workers whose livelihoods depend on tourism.

This measure promotes basic transparency by requiring hotels to notify guests when significant service disruptions exist, such as labor disputes or unavailable services and allows visitors to cancel reservations without penalty under those circumstances. Travelers who spend thousands of dollars to visit Hawai'i deserve honest information about the conditions they will encounter.

Clear disclosure protects consumers, supports responsible business practices, and helps maintain trust in Hawai'i's tourism industry.

For these reasons, I respectfully urge the Legislature to pass SB83.

Mahalo for the opportunity to testify.

Brandon Wolff  
International Vice President – Hawaii  
International Longshore and Warehouse Union