THE SENATE
THIRTY-THIRD LEGISLATURE, 2026
STATE OF HAWAII

S.B. NO. 2183

JAN 21 2026

A BILL FOR AN ACT

RELATING TO CONSUMER PROTECTION.

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

SECTION 1. Section 481A-3, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

"(a) A person engages in a deceptive trade practice when, in the course of the person's business, vocation, or occupation, the person:

(1) Passes off goods or services as those of another;

(2) Causes likelihood of confusion or of misunderstanding as to the source, sponsorship, approval, or certification of goods or services;

(3) Causes likelihood of confusion or of misunderstanding as to affiliation, connection, or association with, or certification by, another;

(4) Uses deceptive representations or designations of geographic origin in connection with goods or services;

(5) Represents that goods or services have sponsorship, approval, characteristics, ingredients, uses,

benefits, or quantities that they do not have or that a person has a sponsorship, approval, status, affiliation, or connection that the person does not have;

(6) Represents that goods are original or new if they are deteriorated, altered, reconditioned, reclaimed, used, or secondhand;

(7) Represents that goods or services are of a particular standard, quality, or grade, or that goods are of a particular style or model, if they are of another;

(8) Disparages the goods, services, or business of another by false or misleading representation of fact;

(9) Advertises goods or services with intent not to sell them as advertised;

(10) Advertises goods or services with intent not to supply reasonably expectable public demand, unless the advertisement discloses a limitation of quantity;

(11) Makes false or misleading statements of fact concerning the reasons for, existence of, or amounts of price reductions; [~~or~~]

(12) Advertises, displays, or offers a price for goods or services that does not include all mandatory fees or charges, other than the following:

(A) Taxes or fees imposed by a government on the transaction; or

(B) Postage or carriage charges that will be reasonably and actually incurred to ship the physical good to the customer; or

[~~(12)~~] (13) Engages in any other conduct [~~which~~] that similarly creates a likelihood of confusion or of misunderstanding."

SECTION 2. Section 481A-5, Hawaii Revised Statutes, is amended to read as follows:

"**[~~[~~]§481A-5[~~]~~] Application.** (a) This chapter does not apply to:

(1) Conduct in compliance with the orders or rules of, or a statute administered by, a federal, state, or local governmental agency;

(2) Publishers, broadcasters, printers, or other persons engaged in the dissemination of information or reproduction of printed or pictorial matters who

publish, broadcast, or reproduce material without knowledge of its deceptive character; or

(3) Actions or appeals pending on July 14, 1969.

(b) Sections 481A-3(a)(2) and 481A-3(a)(3) do not apply to the use of a service mark, trademark, certification mark, collective mark, trade name, or other trade identification that was used and not abandoned before July 14, 1969 if the use was in good faith and is otherwise lawful except for this chapter.

(c) Section 481A-3(a)(12) does not apply to persons providing broadband internet access service on its own or as part of a bundle of services in compliance with the broadband consumer label requirements of title 47 Code of Federal Regulations section 8.2.

For the purposes of this subsection, "broadband internet access service" shall have the same meaning as defined in title 47 Code of Federal Regulations section 8.1(b)."

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

SECTION 4. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

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

INTRODUCED BY: _____

S.B. NO. 2183

Report Title:
Consumer Protection; Deceptive Trade Practices; Pricing

Description:
Establishes as a deceptive trade practice the advertising, displaying, or offering of a price for goods or services that does not include all mandatory fees or charges, with certain exceptions.

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