

ACT 33

S.B. NO. 2200-74

A Bill for an Act Amending Chapter 480, Hawaii Revised Statutes.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 480-13, Hawaii Revised Statutes, is amended to read as follows:

“Sec. 480-13 Suits by persons injured; amount of recovery, injunctions.

(a) Any person who is injured in his business or property by reason of anything forbidden or declared unlawful by this chapter:

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- (1) May sue for damages sustained by him, and, if the judgment is for the plaintiff, he shall be awarded a sum not less than \$1,000.00 or threefold damages by him sustained, whichever sum is the greater, and reasonable attorneys fees together with the cost of suit; provided, however, that no showing that the proceeding or suit would be in the public interest (as these terms are interpreted under section 5(b) of the Federal Trade Commission Act) is necessary when the party against whom the proceeding or suit is brought is a merchant as that term is defined in chapter 490 of the Hawaii Revised Statutes; and
- (2) May bring proceedings to enjoin the unlawful practices, and if the decree is for the plaintiff, he shall be awarded reasonable attorneys fees together with the cost of suit.

(b) The remedies provided in this section are cumulative and may be sought in one action.”

SECTION 2. Statutory material to be repealed is bracketed. New material is underscored. In printing this Act, the revisor of statutes need not include the brackets, the bracketed material or the underscoring.*

SECTION 3. This Act shall take effect upon its approval.

(Approved May 24, 1974.)

*Edited accordingly.