

ACT 241

S.B. NO. 354

A Bill for an Act Relating to the Sale of Prophylactics in Vending Machines.

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

SECTION 1. Chapter 321, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read:

**“§321- Prophylactics.** (a) As used in this section “prophylactic” means any device or appliance used or to be used for the prevention of venereal disease.

(b) No person shall publicly vend prophylactics in mechanical coin-operated machines unless he shall have obtained a permit from the department of health. The department of health shall adopt rules and charge fees to regulate the sale of prophylactics through vending machines and require that they be stocked with adequately labeled and scientifically approved devices only.

(c) It shall be unlawful for any person to vend prophylactics in mechanical coin-operated machines on the premises of any school in this State. The term

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“school” as used herein shall have the same meaning as defined by section 297-1.”

SECTION 2. Sections 321-112 to 321-114, Hawaii Revised Statutes, are repealed.

SECTION 3. Statutory material to be repealed is bracketed. New material is underscored.\*

SECTION 4. This Act shall take effect upon its approval.

The foregoing became law on July 7, 1981, without the Governor's signature, pursuant to Art. III, §16, State Constitution.

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\*The text has been edited pursuant to HRS §23G-16.5, authorizing omission of the brackets, bracketed material, and underscoring.