

ACT 150

H.B. NO. 2870-82

A Bill for an Act Relating to Sensitivity-Awareness Groups.

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

SECTION 1. Findings and purpose. The legislature finds that complaints and inquiries have been received by agencies, such as the Office of Consumer Protection and Better Business Bureau, relating to various sensitivity-awareness group seminars, including but not limited to seminars sponsored by PSI World, EST, Silva Mind Control, Church of Scientology, Transcendental Meditation, Arica, and rebirthing.

The purpose of this Act is to provide some protection to consumers involved in these seminars, who are often induced to enter into contracts after having been rendered vulnerable through introductory sessions with sensitivity-awareness groups.

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

“§481B- Refunds; offer of services. (a) Any person who deposits any money to attend a sensitivity-awareness group seminar and before the first day of the seminar, requests to cancel his or her right to attend and requests a refund of moneys deposited or paid, shall be refunded in full less identifiable non-recoverable costs not to exceed the lesser of \$50 or 20 per cent of the price of the course, by the sensitivity-awareness group. Any person who while attending or after completing a sensitivity-awareness seminar, deposits any money to attend subsequent seminars of a sensitivity-awareness group and within five days of making the deposit or before the first day of the subsequent seminar, whichever occurs later, requests to

cancel his or her right to attend and requests a refund of moneys deposited or paid, shall be refunded in full less identifiable non-recoverable costs not to exceed the lesser of \$50 or 20 per cent of the price of the course, by the sensitivity-awareness group. Any offering of a sensitivity-awareness group seminar by a representative of the sensitivity-awareness group sponsoring the sensitivity-awareness group seminar shall disclose to the offeree these rights of refund.

For purposes of this section, "sensitivity-awareness groups" includes any individual, associated group of persons, or organizations which advertise or assert that attendance by persons at seminars, meetings, training sessions, therapy sessions, or the like sponsored by the individual, group, or organization, will help the persons attending have greater self-awareness or awareness of others, greater self-understanding or understanding of others, or greater capacity for life adjustment or success in life; provided that psychological or psychotherapeutic techniques are used as part of the individual's, group's, or organization's methodology at the seminars, meetings, training sessions, therapy sessions, or the like. The term "sensitivity-awareness groups" does not include certified psychologists, or psychologists with a temporary permit, in accordance with chapter 465 or a psychiatrist licensed in accordance with chapter 453, who teach, direct, administer, conduct, preside over, or are similarly involved in seminars, meetings, training sessions, therapy sessions, or the like.

"Sensitivity-awareness group seminars" means any seminar, meeting, training session, therapy session, or the like sponsored by a sensitivity-awareness group for which monetary compensation is required from persons to attend.

(b) Any violation of this section shall constitute an unfair method of competition and unfair or deceptive act or practice in the conduct of any trade or commerce under section 480-2."

SECTION 3. New statutory material is underscored.¹

SECTION 4. This Act shall take effect upon approval.

(Approved May 28, 1982.)

Note

1. Edited pursuant to HRS §23G-16.5.