

ACT 20

S.B. NO. 2041

A Bill for an Act Relating to Mattresses.

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

SECTION 1. The legislature finds that the federal Textile Fiber Products Identification Act regulates certain textile fiber products, such as clothing, furnishings, and beddings, by requiring that: (1) they be labelled, tagged, or stamped with information regarding the fiber content of the material used in those items; and (2) mattresses, cushions, and upholstered products containing reused stuffing be labelled as having that type of material. The legislature further finds that chapter 332, Hawaii Revised Statutes, which regulates mattresses, contains provisions which conflict in certain respects with the federal law. The purpose of this Act is to amend the state law to eliminate those conflicts.

SECTION 2. Section 332-1, Hawaii Revised Statutes, is amended to read as follows:

“§332-1 Definition. The term “mattress” as used in this chapter means any quilted pad, comforter, mattress, mattress-pad, bunk quilt, or cushion, stuffed or filled with wool, hair, or other soft material to be used on a couch or other bed [for sleeping or reclining purposes.] and on which persons sleep or recline; provided that:

- (1) The term “mattress” shall not include any items considered “beddings” under the federal Textile Fiber Products Identification Act (15 U.S.C. §70 et seq.); and

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- (2) A “cushion” includes only those that are filled with rubber, feathers, or down.”

SECTION 3. Section 332-5, Hawaii Revised Statutes, is amended to read as follows:

“§332-5 Tag or stamp. Any mattress made from more than one new material shall have stamped upon the tag attached thereto the percentage of each material so used. This requirement shall not apply to comforters. [Any mattress made from any material of which prior use has been made shall have stamped or printed upon the tag attached thereto, in type not smaller than twenty-point, the words “second-hand material”.] Any mattress made from material known as “shoddy” shall have stamped or printed upon the tag attached thereto, in type not smaller than twenty-point, the words “shoddy material”.”

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 Statutory material to be repealed is bracketed.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

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

(Approved April 25, 1988.)