

ACT 31

S.B. NO. 57

A Bill for an Act Relating to Gold and Silver Stamping.

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

SECTION 1. The purpose of this Act is to make state laws regulating gold and silver stamping consistent with the National Gold and Silver Stamping Act.

SECTION 2. Section 482D-9, Hawaii Revised Statutes, is amended to read as follows:

“~~[[§482D-9]]~~ Contraband; forfeiture. (a) It is unlawful for any manufacturer or dealer to possess any article of merchandise found to be in violation of section 482D-3, 482D-4, [or] 482D-5[.], or 482D-6. All articles of merchandise found to be in violation of section 482D-3, 482D-4, [or] 482D-5, or 482D-6 shall be contraband and subject to seizure and forfeiture as provided in part VII, chapter 708 and chapter 712A. Any articles seized and forfeited pursuant to this section, and any proceeds thereof, may be made available to any victim who has a valid claim for loss or damage against the person from whom the articles were seized.

(b) This section shall not apply to antiques and second-hand jewelry.

(c) As used in this section, unless the context otherwise requires:

“Antique” means any article of merchandise that is at least one hundred years old.

“Second-hand jewelry” means any jewelry offered for sale after the first sale to a consumer.”

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 Statutory material to be repealed is bracketed.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

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

(Approved April 21, 1997.)