

A Bill for an Act Relating to Health Clubs.

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

SECTION 1. Chapter 486N, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

“§486N- Military personnel; federal active duty deployment outside state; cancellation or suspension of contract. (a) In addition to cancellation of a health club contract under sections 486N-6 and 486N-7, a health club contract of a member of the United States military, including a member of the Hawaii National Guard, United States military reserves, or regular United States armed forces who is serving on federal active duty or active duty in federal service and deployed or otherwise serving outside of this state during the term of the contract, may be canceled or suspended; provided that the request for cancellation or suspension:

- (1) Is made by the member or the member’s legally designated representative;
- (2) Includes a copy of the member’s official military orders or a written verification from the member’s commanding officer; and
- (3) Is made within ninety days after the member receives notice of serving on federal active duty or active duty in federal service and deployment or service outside of this state.

(b) If a contract is suspended under this section, the health club shall not charge any fees to reinstate the contract and shall maintain the original payment obligations set forth in the contract. A contract that is suspended pursuant to this section shall be subject to cancellation two years from the date of suspension if the buyer fails to reinstate the contract.

(c) If a contract is cancelled under this section, the health club may retain the portion of the total contract price representing the services used plus reimbursement for the expenses incurred in an amount not to exceed twenty-five per cent of the total contract price.”

SECTION 2. New statutory material is underscored.¹

SECTION 3. This Act shall take effect on July 1, 2010.

(Approved April 22, 2010.)

Note

1. Edited pursuant to HRS §23G-16.5.