

JAN 23 2015

A BILL FOR AN ACT

RELATING TO CONSUMER PROTECTION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Chapter 481B, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:
4 "§481B- Free trial offers. No agreement for the
5 purchase of periodic delivery of merchandise, services, or
6 internet access shall include an introductory free trial period
7 unless the agreement includes an explicit affirmative consent
8 from the purchaser to charge the purchaser's credit card, debit
9 card, or pay service account with a third party for automatic
10 renewal, continuous delivery, or service beyond the last date of
11 the free trial period. If an agreement does not include the
12 purchaser's explicit affirmative consent prescribed under this
13 section, the agreement shall be void."

14 SECTION 2. This Act does not affect rights and duties that
15 matured, penalties that were incurred, and proceedings that were
16 begun before its effective date.

17 SECTION 3. New statutory material is underscored.



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

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S.B. NO. 464

Report Title:

Unfair and Deceptive Practices; Free Trial Offers

Description:

Prohibits agreements for purchase of periodic delivery of merchandise, services, or internet access from including an introductory free trial period unless the agreement includes an explicit affirmative consent from the purchaser for automatic renewal, continuous delivery, or service beyond the last date of the free trial period.

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