

JAN 17 2020

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# A BILL FOR AN ACT

RELATING TO GIFT CERTIFICATES.

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

1           SECTION 1. Section 481B-13, Hawaii Revised Statutes, is  
2 amended by amending subsection (f) to read as follows:

3           "(f) As used in this section, unless the context requires  
4 otherwise:

5           "Certificate issuer" or "issuer" means a restaurant or a  
6 person engaged in the business of offering services or goods for  
7 sale at retail who sells gift certificates to customers.

8           "Gift certificate" or "certificate" includes any electronic  
9 card with a banked dollar value where the issuer has received  
10 payment for the full banked dollar value for the future purchase  
11 or delivery of goods or services, any certificate where the  
12 issuer has received payment for the full face value of the  
13 certificate for future purchases or delivery of goods or  
14 services, and any other medium that evidences the giving of  
15 consideration in exchange for the right to redeem the  
16 certificate, electronic card, or other medium for goods, food,  
17 or services of at least an equal value. "Gift certificate" or



1 "certificate" does not include a card, certificate, or other  
2 medium that is:

- 3 (1) Used solely for telephone services;
- 4 (2) Reloadable and not marketed or labeled as a gift card,  
5 gift certificate, or certificate;
- 6 (3) A loyalty, award, or promotional gift card;
- 7 (4) Not marketed to the general public; [~~or~~]
- 8 (5) Redeemable solely for admission to events or venues at  
9 a particular location or group of affiliated  
10 locations, which may also include services or goods  
11 obtainable:
  - 12 (A) At the event or venue after admission; or
  - 13 (B) In conjunction with admission to such events or  
14 venues, at specific locations affiliated with and  
15 in geographic proximity to the event or venue[~~-~~];  
16 or
- 17 (6) Issued by a county for the purpose of storing value  
18 for certain uses including but not limited to paying  
19 transit fares or other county fees, or other uses as  
20 authorized by applicable county ordinances.



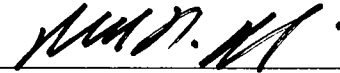
1 "Service fee" means a periodic fee, charge, or penalty for  
2 holding or use of a gift certificate, but does not include a  
3 one-time initial activation or issuance fee."

4 SECTION 2. Statutory material to be repealed is bracketed  
5 and stricken. New statutory material is underscored.

6 SECTION 3. This Act shall take effect upon its approval.

7

INTRODUCED BY:



By Request



# S.B. NO. 2120

**Report Title:**

Hawaii Council of Mayors Package; Gift Certificates; Transit Cards; Exception

**Description:**

Clarifies that certain county-issued cards and certificates are not subject to the State's unfair and deceptive practices regulations related to gift certificates.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

