

JAN 23 2020

A BILL FOR AN ACT

RELATING TO THE RIGHT TO PRIVACY.

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

1 SECTION 1. The legislature finds that article I, section 6
2 of the Hawaii State Constitution, states that "[t]he right of
3 the people to privacy is recognized and shall not be infringed
4 without the showing of a compelling state interest. The
5 legislature is charged with taking affirmative steps to
6 implement this right." The legislature also finds that many
7 businesses selling age-restricted items require individuals who
8 are clearly older than the minimum age required for purchase of
9 the item, including senior citizens, to verify the individual's
10 age. In these situations, the legislature believes that age
11 verification is unnecessary and should be prohibited.

12 Accordingly, the purpose of this Act is to prohibit certain
13 businesses from requiring age verification from an individual if
14 it is clear that the individual has attained the age required
15 for the purchase of an age-restricted good.



1 SECTION 2. Chapter 487J, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§487J- Age verification; prohibition. (a) No
5 business that sells age-restricted goods shall require a
6 purchaser to verify the purchaser's age in order to receive any
7 age-restricted goods if the seller determines by a clear and
8 convincing standard that the purchaser has reached the minimum
9 age required for purchasing the age-restricted goods.

10 (b) As used in this section, "clear and convincing
11 standard" means the existence of a fact that is highly
12 probable."

13 SECTION 3. This Act does not affect rights and duties that
14 matured, penalties that were incurred, and proceedings that were
15 begun before its effective date.

16 SECTION 4. New statutory material is underscored.

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

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INTRODUCED BY:


Kurt Ferrelle



S.B. NO. 3160

Report Title:

Age Verification; Age-Restricted Goods

Description:

Prohibits businesses from verifying the age of certain purchasers of age-restricted goods.

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