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# A BILL FOR AN ACT

RELATING TO THE LABELING OF PRODUCTS.

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

1           SECTION 1. Section 201-3.5, Hawaii Revised Statutes, is  
2 amended by amending subsection (c) to read as follows:  
3           "(c) No person shall:  
4           (1) Keep, offer, display or expose for sale, or solicit  
5           for the sale of any item, product, souvenir, or other  
6           merchandise that:  
7           (A) Is labeled "Hawaii Made"; or  
8           (B) By any other means, represents the origin of the  
9           item as being from any place within the State; or  
10          (2) Use the phrase "Hawaii Made" as an advertising or  
11          media tool,  
12 for any item that has not been manufactured, assembled,  
13 fabricated, or produced within the State and that has not had at  
14 least fifty-one per cent of its wholesale value added by  
15 manufacture, assembly, fabrication, or production within the  
16 State, including Hawaii-sourced goods, services, and  
17 intellectual property[-]; provided that any calculation to



1 determine whether a non-perishable good has had at least  
2 fifty-one per cent of its wholesale value added by production  
3 within the State shall include operating and overhead expenses  
4 incurred and spent within the State."

5 SECTION 2. Section 486-119, Hawaii Revised Statutes, is  
6 amended by amending subsection (a) to read as follows:

7 "(a) No person shall keep, offer, display or expose for  
8 sale, or solicit for the sale of any item, product, souvenir, or  
9 any other merchandise that is labeled "made in Hawaii" or that  
10 by any other means misrepresents the origin of the item as being  
11 from any place within the State, or uses the phrase "made in  
12 Hawaii" as an advertising or media tool for any craft item that  
13 has not been manufactured, assembled, fabricated, or produced  
14 within the State and that has not had at least fifty-one per  
15 cent of its wholesale value added by manufacture, assembly,  
16 fabrication, or production within the State[-]; provided that  
17 any calculation to determine whether an item has had at least  
18 fifty-one per cent of its wholesale value added by production  
19 within the State shall include operating and overhead expenses  
20 incurred and spent within the State."



1 SECTION 3. There is appropriated out of the general  
2 revenues of the State of Hawaii the sum of \$ or so  
3 much thereof as may be necessary for fiscal year 2023-2024 and  
4 the same sum or so much thereof as may be necessary for fiscal  
5 year 2024-2025 for the promotion and development of the "Made in  
6 Hawaii" brand.

7 The sums appropriated shall be expended by the department  
8 of business, economic development, and tourism for the purposes  
9 of this Act.

10 SECTION 4. Statutory material to be repealed is bracketed  
11 and stricken. New statutory material is underscored.

12 SECTION 5. This Act shall take effect on July 1, 2050.



**Report Title:**

Made in Hawaii Program; Production; Appropriation

**Description:**

Clarifies that calculations to determine whether an item labeled "Hawaii Made" or "Made in Hawaii" has met the requirement that at least 51% of the wholesale value of the product is added by production within the State include operating and overhead expenses incurred and spent within the State. Appropriates funds to promote and develop the "Made in Hawaii" brand. Effective 7/1/2050. (SD2)

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

