



EXECUTIVE CHAMBERS
HONOLULU

LINDA LINGLE
GOVERNOR

GOV. MSG. NO. **569**

April 27, 2006

The Honorable Robert Bunda, President
and Members of the Senate
Twenty-Third State Legislature
State Capitol, Room 003
Honolulu, Hawaii 96813

Dear Mr. President and Members of the Senate:

This is to inform you that on April 27, 2006, the following bill was signed into law:

HB2331

A BILL FOR AN ACT RELATING TO
AN INACTIVE STATUS FOR PROFESSIONAL
AND VOCATIONAL LICENSES.
(ACT 49)

Sincerely,

A handwritten signature in black ink, appearing to read "Linda Lingle".

LINDA LINGLE

H.B. NO. 2331

A BILL FOR AN ACT

RELATING TO AN INACTIVE STATUS FOR PROFESSIONAL AND VOCATIONAL LICENSES.

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

1 SECTION 1. Chapter 436B, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§436B- Inactive license; reactivation of inactive
5 license. (a) Unless otherwise provided by law, each licensing
6 authority may allow a licensee to place its license on inactive
7 status and provide conditions for the reactivation of the
8 license.

9 (b) If a licensing authority desires to authorize an
10 inactive license status, the licensing authority may decide to
11 accept in total the provisions in subsection (c) to immediately
12 effectuate an inactive license status. If a licensing authority
13 desires to establish provisions for an inactive license status
14 that differ from the provisions in subsection (c), the licensing
15 authority may establish those alternative provisions by rules
16 adopted pursuant to chapter 91.

1 (c) The following general provisions shall be applied by
2 the licensing authority:

3 (1) Upon written request by a licensee during the
4 licensure period or at renewal, and upon payment of an
5 inactive license fee, the licensing authority shall
6 place that licensee's active license on an inactive
7 status;

8 (2) A licensee may continue on inactive status for the
9 biennial or triennial period, whichever is applicable;

10 (3) A licensee on inactive status shall be considered as
11 unlicensed and shall not engage in the practice of the
12 licensed profession or vocation. Any person who
13 violates this prohibition shall be subject to
14 discipline under this chapter and the laws and rules
15 of the licensing authority for that license;

16 (4) It shall be the responsibility of each licensee on
17 inactive status to maintain knowledge of current
18 licensing and renewal requirements; and

19 (5) A licensee may request to reactivate the license at
20 any time during the licensure period or at renewal by
21 completing an application for reactivation and
22 fulfilling all requirements in effect at the time of

1 application to return the license to active status,
2 including the payment of an activation fee and other
3 fees that may be required. The licensing authority
4 may require information from the applicant to ensure
5 the applicant is fit to engage in the profession,
6 including but not limited to reporting license
7 sanctions, pending disciplinary actions, or conviction
8 of a crime in which the conviction has not been
9 annulled or expunged.

10 (d) The licensing authority may deny an application for
11 reactivation if the applicant does not fulfill all requirements
12 or for the bases set forth in section 436B-19 or in the laws and
13 rules of the licensing authority for that license. If the
14 licensing authority denies the application, written notice of
15 the denial shall state specifically the reason for denying the
16 reactivation and shall inform the applicant of the right to a
17 hearing under chapter 91. The applicant shall be required to
18 reapply for licensure and comply with the licensing requirements
19 in effect at the time of reapplication."

20 SECTION 2. New statutory material is underscored.

H . B . NO . 2331

1 SECTION 3. This Act shall take effect on January 1, 2007.

2 APPROVED this 27 day of APR , 2006

3 

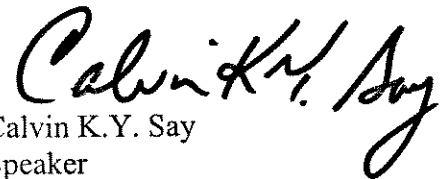
4 GOVERNOR OF THE STATE OF HAWAII

HB No. 2331

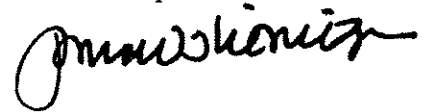
THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: February 13, 2006
Honolulu, Hawaii

We hereby certify that the foregoing Bill on this day passed Third Reading in the House of Representatives of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2006.



Calvin K. Y. Say
Speaker
House of Representatives



Patricia Mau-Shimizu
Chief Clerk
House of Representatives

THE SENATE OF THE STATE OF HAWAII

Date: April 11, 2006
Honolulu, Hawaii

We hereby certify that the foregoing Bill on this day passed Third Reading in the Senate of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2006.



Robert Bunda
President of the Senate



Paul Kawaguchi
Clerk of the Senate