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# A BILL FOR AN ACT

RELATING TO CONTRACTOR LICENSING REQUIREMENTS DURING A STATE OF EMERGENCY OR DISASTER.

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

1           SECTION 1. Section 444-10.6, Hawaii Revised Statutes, is  
2 amended to read as follows:

3           " ~~[+] §444-10.6 [+] State of emergency or disaster; [acting~~  
4 ~~as a contractor without a license, penalty.] emergency~~  
5 ~~licensure; penalties.~~ (a) Notwithstanding any other provision  
6 of law to the contrary, the board may issue emergency  
7 contractor's licenses during a state of emergency or disaster  
8 duly declared by the governor under chapter 209.

9           (b) To qualify for an emergency contractor's license, an  
10 applicant shall:

11           (1) Provide proof of licensure as a contractor in another  
12 state with similar contractor licensing requirements  
13 as those in this State, and that the license is  
14 current and has been in good standing for the past two  
15 years;

16           (2) Provide proof of liability and property damage  
17 insurance, as specified in the board's rules;



1       (3) Submit proof of workers' compensation insurance for  
2       work done in the State;

3       (4) Submit a current financial statement and applicable  
4       credit reports as specified in the board's rules;

5       (5) Pay all applicable application and license fees,  
6       including recovery fund and education fund fees; and

7       (6) Provide proof of intent to pay any and all applicable  
8       state general excise taxes.

9       (c) The classifications of emergency contractor's licenses  
10      issued and the duration of the emergency contractor's licenses  
11      shall be determined by the board based on the nature and  
12      duration of the state of emergency or disaster, and the needs  
13      and best interests of the public.

14      (d) The board may delegate the issuance of emergency  
15      contractor's licenses to its administrative staff; provided that  
16      the applicant shall be required to meet all of the requirements  
17      specified in this section before the issuance of the license.

18      (e) Any person who violates section 444-9, in connection  
19      with the offer or performance of repairs to a residential or  
20      nonresidential structure for damage caused by a natural disaster  
21      in a political subdivision for which a state of emergency or  
22      disaster is proclaimed by the governor, may be punished by a

1 fine of up to \$10,000, or imprisonment up to one year, or both,  
2 in addition to all other remedies or penalties."

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

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



**Report Title:**  
Contractor Licensing

**Description:**  
Ensures an adequate supply of licensed contractors is available to perform necessary repairs and reconstruction work during a state of emergency or disaster. (SD2)

