

JAN 22 2010

A BILL FOR AN ACT

RELATING TO REAL ESTATE LICENSEES.

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

1 SECTION 1. The legislature finds that the continual
2 evolution of the real estate industry requires that real estate
3 brokers and salespersons regularly update their knowledge of
4 changes to the real estate industry. The legislature further
5 finds that an increase in continuing education hours will
6 advance the level of professionalism in the real estate
7 industry.

8 The purpose of this Act is to increase professionalism
9 among real estate licensees by:

10 (1) Increasing the minimum required continuing education
11 hours for real estate brokers and salespersons from
12 ten hours to twenty hours in each two-year licensing
13 period; and

14 (2) Requiring that a real estate licensee possess a high
15 school diploma or its equivalent as determined by the
16 real estate commission.



1 SECTION 2. Section 467-9.5, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:

3 "(a) No individual shall be eligible for the licensing
4 examination unless the individual [~~is~~]:

5 (1) [A] Is a United States citizen~~[7]~~ or a United States
6 national, or ~~[an alien]~~ is authorized to work in the
7 United States~~[, and of the age of majority; and]~~;

8 (2) Is at least eighteen years old;

9 (3) Possesses a high school diploma or its equivalent, as
10 determined by the commission; and

11 [~~(2) Applying~~] (4) Is applying for:

12 (A) The real estate salesperson examination and has
13 satisfactorily completed a commission-approved
14 prelicensing course for real estate salesperson
15 candidates, which includes real estate
16 principles, or its equivalent as determined by
17 the commission; or

18 (B) The real estate broker examination and:

19 (i) Holds a current, unencumbered Hawaii real
20 estate salesperson license or a current,
21 unencumbered real estate salesperson or
22 broker license in another state or in a



1 jurisdiction recognized by the Association
2 of Real Estate License Law Officials[7] with
3 an equivalent real estate licensing law as
4 determined by the commission;

5 (ii) Has satisfactorily completed a commission-
6 approved prelicensing course for real estate
7 broker candidates, or its equivalent as
8 determined by the commission; and

9 (iii) Has experience as a full-time Hawaii-
10 licensed real estate salesperson associated
11 with a Hawaii-licensed real estate broker
12 for at least three years of the five-year
13 period immediately prior to the submission
14 of the experience certification application
15 and has practical real estate salesperson
16 experience, as certified by the principal
17 broker, principal brokers, broker in charge,
18 or brokers in charge, as the case may be,
19 during the subject period. The candidate
20 shall secure commission approval of the
21 candidate's experience certification
22 application prior to the date of the



1 examination. Subject to commission
2 approval, a candidate may request a
3 determination of equivalency for the
4 experience requirement based on real estate
5 salesperson license experience or a current,
6 unencumbered real estate broker license in
7 another state, or in a jurisdiction
8 recognized by the Association of Real Estate
9 License Law Officials[7] with an equivalent
10 real estate licensing law as determined by
11 the commission."

12 SECTION 3. Section 467-11.5, Hawaii Revised Statutes, is
13 amended by amending subsection (a) to read as follows:

14 "(a) Prior to the license renewal of a real estate broker or
15 real estate salesperson, the licensee shall provide the commission
16 with proof of having attended [~~ten~~] a minimum of twenty hours of
17 continuing education or its equivalent as determined by the
18 commission during the two-year period preceding the application
19 for renewal. Failure to satisfy the continuing education
20 requirement by the license expiration date shall result in the
21 renewed license being automatically placed on an "inactive"
22 status."



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

3 SECTION 5. This Act shall take effect on January 1, 2011.

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Report Title:

Real Estate Broker and Salespersons; Continuing Education; High School Diploma

Description:

Requires that a real estate broker or salesperson possess a high school diploma or its equivalent. Increases the continuing education requirement for real estate licensees from ten to twenty hours in a two-year period.

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