
A BILL FOR AN ACT

RELATING TO CONTRACTORS.

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

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

3 "**§444-2 Exemptions.** This chapter shall not apply to:

4 (1) Officers and employees of the United States, the
5 State, or any county while in the performance of their
6 governmental duties;

7 (2) Any person acting as a receiver, trustee in
8 bankruptcy, personal representative, or any other
9 person acting under any order or authorization of any
10 court;

11 (3) A person who sells or installs any finished products,
12 materials, or articles of merchandise that are not
13 actually fabricated into and do not become a permanent
14 fixed part of the structure, or to the construction,
15 alteration, improvement, or repair of personal
16 property;

17 (4) Any project or operation for which the aggregate
18 contract price for labor, [~~materials,~~] taxes, and all



1 other items, not including materials, is not more than
2 \$1,000. This exemption shall not apply in any case
3 where a building permit is required regardless of the
4 aggregate contract price, nor where the undertaking is
5 only a part of a larger or major project or operation,
6 whether undertaken by the same or a different
7 contractor or in which a division of the project or
8 operation is made in contracts of amounts of not more
9 than \$1,000 for the purpose of evading this chapter or
10 otherwise;

11 (5) A registered architect or professional engineer acting
12 solely in the person's professional capacity;

13 (6) Any person who engages in the activities regulated in
14 this chapter as an employee with wages as the person's
15 sole compensation;

16 (7) Owner-builders exempted under section 444-2.5;

17 (8) Any joint venture if all members thereof hold licenses
18 issued under this chapter;

19 (9) Any project or operation where it is determined by the
20 board that less than ten persons are qualified to
21 perform the work in question and that the work does



1 not pose a potential danger to public health, safety,
2 and welfare; or

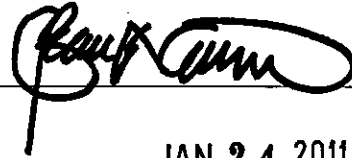
3 (10) Any public works project that requires additional
4 qualifications beyond those established by the
5 licensing law and ~~which~~ is deemed necessary and in
6 the public interest by the contracting agency."

7 SECTION 2. Statutory material to be repealed is bracketed
8 and stricken. New statutory material is underscored.

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

10

INTRODUCED BY:



JAN 24 2011



Report Title:

Contractors; Exemption

Description:

Excludes cost of materials in determining whether cost of project is less than \$1,000 for purposes of "handyman" exemption from contractor licensing law.

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