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## A BILL FOR AN ACT

RELATING TO CONTRACTORS.

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

1           SECTION 1. Section 444-9, Hawaii Revised Statutes, is  
2 amended to read as follows:

3           "**§444-9 Licenses required.** (a) No person within the  
4 purview of this chapter shall act, or assume to act, or  
5 advertise, as general engineering contractor, general building  
6 contractor, or specialty contractor without a license previously  
7 obtained under and in compliance with this chapter and the rules  
8 and regulations of the contractors license board.

9           (b) In reviewing applications for licensure, the  
10 contractors license board shall not consider unlicensed  
11 experience in the State or in any other state as a qualification  
12 for licensing. If an applicant for licensure resided in a state  
13 or foreign jurisdiction that lacks an established contractor  
14 licensing system or cannot furnish conclusive evidence of prior  
15 licensing in another jurisdiction, the board shall consider the  
16 applicant's previous unlicensed work as a qualification for  
17 licensure; provided that the board reasonably determines the



1 applicant has gained sufficient experience within the State  
2 prior to submitting the application for licensure."

3 SECTION 2. Section 444-14, Hawaii Revised Statutes, is  
4 amended to read as follows:

5 "§444-14 Place of business; state presence; and posting of  
6 license. (a) A licensed contractor shall have, maintain, and  
7 operate from a definite place of business in the State and shall  
8 display therein his or her contractor's license.

9 (b) The licensed contractor shall report any change of  
10 address or telephone number to the contractors license board  
11 within ten business days from such change.

12 (c) If a licensed contractor undertakes a project with a  
13 proposed duration of eight months or less, as specified in the  
14 contract or job specifications, the licensed contractor or the  
15 licensed contractor's responsible managing employee shall be  
16 present within the State for the entire length of the project,  
17 without absence, excluding federal or state holidays. If a  
18 licensed contractor undertakes a project with a proposed  
19 duration greater than eight months, as specified in the contract  
20 or job specifications, the licensed contractor or the licensed  
21 contractor's responsible managing employee shall not be absent  
22 from the State for more than fourteen calendar days, excluding



1 federal or state holidays. The contractors license board may  
2 consider violations of this subsection when making licensure  
3 renewal or reinstatement determinations.

4 (d) For purposes of this section, "responsible managing  
5 employee" means an individual who is a bona fide employee of the  
6 licensed contractor."

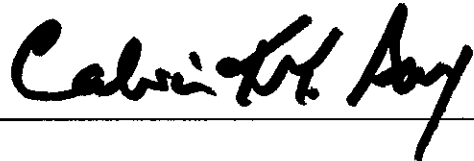
7 SECTION 3. This Act does not affect rights and duties that  
8 matured, penalties that were incurred, and proceedings that were  
9 begun before its effective date.

10 SECTION 4. New statutory material is underscored.

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

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INTRODUCED BY:



BY REQUEST

JAN 25 2011



**Report Title:**

Contractors License; Contractors License Board; State Presence;  
Unlicensed Experience

**Description:**

Prohibits the contractors license board from considering unlicensed experience as a qualification for licensure, with certain exceptions. Requires contractors or their responsible managing employees to be present within the State for certain designated time periods throughout the contract term.

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

