

JAN 24 2013

A BILL FOR AN ACT

RELATING TO CONTRACTORS.

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

1 SECTION 1. Chapter 444, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§444- Licensing; power of board to accept equivalent
5 knowledge. The board in its discretion may accept any
6 reasonably equivalent knowledge, training, or experience of the
7 applicant for a license in lieu of a specific experience
8 requirement, including self-employed or unlicensed experience,
9 if upon investigation and verification, the board makes a
10 detailed written finding to that effect and the written finding
11 is made available for public inspection."

12 SECTION 2. Section 444-11, Hawaii Revised Statutes, is
13 amended by amending subsection (a) to read as follows:

14 "(a) No license hereunder shall be issued to:

15 (1) Any person unless the person has filed an application
16 and paid the applicable fees;

17 (2) Any person unless the person meets the experience
18 requirements as prescribed in the board's rules;



1 provided that the board may accept experience
2 [~~acquired on a self-employed or unlicensed basis if~~
3 ~~the experience can be verified;~~] as provided in
4 section 444- ;

5 (3) Any person who does not possess a history of honesty,
6 truthfulness, financial integrity, and fair dealing;
7 provided that any person who during the six years
8 prior to application has failed to satisfy an
9 undisputed debt or a judgment relating to services or
10 materials rendered in connection with operations as a
11 contractor shall be presumed not to possess a history
12 of financial integrity;

13 (4) Any person unless the person has successfully passed a
14 written examination as prescribed by the board;

15 (5) Any individual unless the individual is age eighteen
16 years or more;

17 (6) Any joint venture [~~which~~] that is not exempt under
18 section 444-2(8) unless the contracting business
19 thereof is under the direct management of a member or
20 employee thereof, and unless the member or employee
21 holds an appropriate license;



1 (7) Any individual who is unable to qualify as a
 2 contractor or any partnership or corporation, unless
 3 the contracting business of the individual,
 4 partnership, or corporation is under the direct
 5 management of an employee, partner, or officer thereof
 6 who holds an appropriate license;

7 (8) Any person unless the person submits satisfactory
 8 proof to the board that the person has obtained
 9 workers' compensation insurance, or has been
 10 authorized to act as a self-insurer under chapter 386
 11 or is excluded from the requirements of chapter 386;

12 (9) Any person unless the person submits satisfactory
 13 proof to the board that the person has obtained
 14 liability insurance; or

15 (10) Any person unless the person submits a bond if
 16 required by the board under section 444-16.5."

17 SECTION 3. Statutory material to be repealed is bracketed
 18 and stricken. New statutory material is underscored.

19 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY: *Rosemary H. Bell*
Sen. D. D. Seal-Ago



S.B. NO. 1257

Report Title:

Contractors; Licensure Requirements

Description:

Allows the contractors license board to accept in lieu of a specific experience requirement for licensure, equivalent knowledge, training, or experience, including self-employed or unlicensed experience, if the board investigates and makes a detailed written finding to that effect and the finding is made available for public inspection.

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