

STAND. COM. REP. NO.

193

Honolulu, Hawaii

February 7, 2013

RE: H.B. No. 153

Honorable Joseph M. Souki  
Speaker, House of Representatives  
Twenty-Seventh State Legislature  
Regular Session of 2013  
State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred H.B. No. 153 entitled:

"A BILL FOR AN ACT RELATING TO UNLICENSED CONTRACTING ACTIVITY,"

begs leave to report as follows:

The purpose of this measure is to clarify that the value of work done by an unlicensed contractor shall not be used to offset the valuation of property for the purposes of establishing the degree of unlicensed contractor fraud.

The Regulated Industries Complaints Office of the Department of Commerce and Consumer Affairs and the Maui County Department of the Prosecuting Attorney submitted testimony in support of this measure.

Your Committee finds that a contract for work performed by an unlicensed contractor is illegal; therefore, allowing an unlicensed contractor to use the value of its work as an offset enables the unlicensed contractor to receive gain from the illegal contract. This measure would clarify the calculation of the value paid or lost by a victim for the purpose of determining the offense of unlicensed contractor fraud in the first or second degree.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and

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purpose of H.B. No. 153 and recommends that it pass Second Reading and be referred to the Committee on Finance.

Respectfully submitted on  
behalf of the members of the  
Committee on Consumer  
Protection & Commerce,



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ANGUS L.K. MCKELVEY, Chair



