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# A BILL FOR AN ACT

RELATING TO REAL ESTATE.

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

1           SECTION 1. The legislature finds that Act 326, Session  
2 Laws of Hawaii 2012, requires operators of transient  
3 accommodations to provide a local contact whenever an operator  
4 is not located on the island where a transient accommodation is  
5 located. The role of the local contact is limited, and any  
6 services other than those allowed under Act 326, Session Laws of  
7 Hawaii 2012, can constitute unlicensed real estate activity.

8           The purpose of this Act is to clarify the role of a local  
9 contact for operators of transient accommodations.

10          SECTION 2. Act 326, Session Laws of Hawaii 2012, section  
11 2, is amended by amending section 237D- (h) to read as follows:

12          "(h) For the purposes of this section:

13          "Local contact" means an individual or company contracted  
14 by the operator of the transient accommodation to [~~provide~~  
15 ~~services required by this section.~~] serve as the on-site contact  
16 for the operator, residing on the same island where the  
17 transient accommodation is located, whose name is required to be  
18 prominently posted in the transient accommodation and included



1 in any transient accommodation contract or written rental  
2 agreement and who:

3 (1) Provides local point of contact services in the case  
4 of an emergency or natural disaster, including  
5 providing and receiving information;

6 (2) Transmits to the operator of the transient  
7 accommodation on-site questions, concerns, or property  
8 issues that arise regarding the transient  
9 accommodation; or

10 (3) Transmits the operator's responses, at the direction  
11 of the operator, to on-site inquiries about the  
12 transient accommodation.

13 Any other services provided by a local contact may be  
14 subject to licensing requirements under chapter 467. Nothing in  
15 this section shall be deemed to create an employer-employee  
16 relationship between an operator and [its] the operator's local  
17 contact[-] or to authorize a local contact to engage in activity  
18 for which a real estate broker's license or a real estate  
19 salesperson's license is required under chapter 467.

20 "Relevant information" means the operator's name, address,  
21 contact information, registration identification number issued



1 pursuant to section 237D-4, and website address if advertising  
2 or soliciting the transient accommodation on the Internet."

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

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

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**Report Title:**

Real Estate; Local Contacts; Transient Accommodations

**Description:**

Clarifies the role of a local contact for operators of transient accommodations under Act 326, Session Laws of Hawaii 2012.

(SD1)

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

