

JAN 18 2019

A BILL FOR AN ACT

RELATING TO REAL ESTATE.

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

1 SECTION 1. Section 467-2, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "**§467-2 Exceptions.** The provisions requiring licensing as
4 a real estate broker or salesperson shall not apply:

5 (1) To any individual who, as owner of any real estate or
6 acting under power of attorney from the owner,
7 performs any of the acts enumerated in the definitions
8 of real estate broker and real estate salesperson with
9 reference to the real estate; provided that the term
10 "owner" as used in this paragraph shall not include
11 any individual engaged in the business of real estate
12 development or brokerage or include an individual who
13 acquires any interest in any real estate for the
14 purpose or as a means of evading the licensing
15 requirements of this chapter; and provided further
16 that the term individual "acting under power of
17 attorney" as used in this paragraph shall not include



1 any individual engaged in the business of real estate
2 development or brokerage or any individual who acts
3 under a power of attorney for the purpose or as a
4 means of evading the licensing requirements of this
5 chapter;

6 (2) To any person acting as a receiver, trustee in
7 bankruptcy, personal representative, or trustee acting
8 under any trust agreement, deed of trust, or will, or
9 otherwise acting under any order of authorization of
10 any court;

11 (3) To any individual who leases, offers to lease, rents,
12 or offers to rent, any real estate or the improvements
13 thereon of which the individual is the custodian or
14 caretaker;

15 (4) To any person who manages, rents, or operates a hotel;
16 [~~or~~]

17 (5) To any provider agency owning, leasing, operating, or
18 managing a homeless facility or any other program for
19 the homeless authorized under part XVII of chapter
20 346 [-]; or



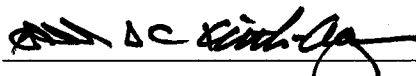

S.B. NO. 204

1 (6) To any employee of an internal real estate management
 2 division of a business entity incorporated, formed, or
 3 organized under a law other than the laws of this
 4 State who negotiates no more than five commercial
 5 leases in this State on behalf of the business entity;
 6 provided that the employee is a duly licensed real
 7 estate broker or salesperson in the employee's state
 8 of domicile."

9 SECTION 2. Statutory material to be repealed is bracketed
 10 and stricken. New statutory material is underscored.

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

12

INTRODUCED BY: ~~SEN SC~~ 


S.B. NO. 204

Report Title:

Real Estate Licensure; Exemption

Description:

Exempts persons who are employees of real estate management divisions within companies or corporations incorporated, organized, or formed outside the State from the State's real estate license requirement provided that the employees may negotiate only up to five commercial leases and are duly licensed in their state of domicile.

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