

ACT 124

H.B. NO. 3309

A Bill for an Act Relating to the Licensing Requirement for a Photograph.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. Section 436B-10, Hawaii Revised Statutes, is amended to read as follows:

**“§436B-10 Application for licensure.** Application for a license shall be made under oath on a form to be furnished by the licensing authority. The form may require the applicant to provide the following:

- (1) The applicant’s legal name;
- (2) A statement that the applicant is beyond the age of majority;
- (3) The applicant’s current residence, business, and mailing addresses;
- (4) The applicant’s social security number;
- (5) The date and place of any conviction of a penal crime directly related to the profession or vocation in which the applicant is applying for licensure, unless the conviction has been expunged or annulled, or is otherwise precluded from consideration by section 831-3.1;
- [(6) A current photograph of the applicant;] and
- [(7)] (6) Any other information the licensing authority may require to investigate the applicant’s qualifications for licensure.”

SECTION 2. Section 438-7, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

“(b) An applicant for a barber’s license shall:

- (1) Be at least seventeen years of age;
- (2) Have a total of fifteen hundred clock hours of barber training through the following or any combination thereof:
  - (A) As an apprentice, holding an apprentice permit; or
  - (B) As a student enrolled in a school that has a barbering curriculum; provided that only classes related to barbering shall be applied towards the accumulation of clock hours.

The board shall adopt rules pursuant to chapter 91 to implement this paragraph[.]; and

- (3) Take and pass an examination for licensure[; and
- (4) Provide a current passport sized photograph].”

SECTION 3. Section 442-2, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) It shall be unlawful for any person to practice chiropractic without a license. Any person applying for a license to practice chiropractic shall submit an application to the board of chiropractic examiners no later than sixty days prior to the examination, accompanied by the application and examination fees[,] and [such] all documents[,] and affidavits [as are] that may be prescribed by law. The application shall be submitted in accordance with the rules of the board [of chiropractic examiners], shall be on a form prescribed by the board, and shall be signed and verified under oath by the applicant. In addition thereto, each applicant shall furnish to the board [of examiners]:

- [(1) An unretouched, unmounted photograph taken within sixty days next preceding the date of the application;
- (2)] (1) A photostatic copy of the applicant's diploma from a chiropractic college or school holding status with the commission on accreditation as provided in this section;
- [(3) After March 1, 1958, satisfactory] (2) Satisfactory proof that the applicant has completed two years of liberal arts or science study at a university or college; provided that [the foregoing] this requirement shall not apply to applicants having entered an approved chiropractic college on or before October 31, 1955; and
- [(4)] (3) Evidence of having attended and graduated from a chiropractic college accredited by, or recognized as a candidate for accreditation by, any chiropractic accrediting agency recognized by the United States Department of Education. Students who have matriculated in any chiropractic college prior to October 15, 1984, shall be exempt.”

SECTION 4. Section 448-9, Hawaii Revised Statutes, is amended to read as follows:

“§448-9 Application for examination for graduates of dental colleges accredited by the American Dental Association. Any person of eighteen years or more[,] shall be eligible to take an examination before the board upon submission of:

- (1) An application on a form prescribed by the board to the executive secretary of the board not later than sixty days prior to the date of the scheduled examination;
- (2) Application and examination fees; and
- (3) Documentation and credentials that shall include but are not limited to the following:
  - [(A) A recent unmounted photograph of the applicant;
  - (B)] (A) A diploma or certificate of graduation from a dental college accredited by the Council of Dental Education of the American Dental Association, recognized and approved by the board; and
  - [(C)] (B) A certificate or other evidence satisfactory to the board of having passed parts I and II of the examination of the National Board of Dental Examiners.”

SECTION 5. Statutory material to be repealed is bracketed. New statutory material is underscored.

**SECTION 6.** This Act shall take effect upon its approval.

(Approved June 8, 1994.)