

ACT 246

S.B. NO. 770

A Bill for an Act Relating To Real Estate Licenses.

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

SECTION 1. The legislature finds that many jurisdictions require a high school education as a basic minimum educational requirement in a professional working environment. Many states currently require a high school education or its equivalent as a condition of licensure for real estate licensees.

The purpose of this Act is to require a high school education or its equivalent as a condition for obtaining a license as a real estate broker or real estate salesperson.

SECTION 2. Section 467-9.5, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) No individual shall be eligible for the licensing examination unless the individual [is]:

- (1) ~~[A] Is a United States citizen, a United States national, or an alien authorized to work in the United States[, and of the age of majority; and~~
- (2) ~~Applying for:]~~
- (2) Is of the age of majority;
- (3) Has earned a high school diploma or its equivalent; and
- (4) Is applying for:
  - (A) The real estate salesperson examination and has satisfactorily completed a commission-approved precicensing course for real estate salesperson candidates, which includes real estate principles, or its equivalent as determined by the commission; or
  - (B) The real estate broker examination and:
    - (i) Holds a current, unencumbered Hawaii real estate salesperson license or a current, unencumbered real estate salesperson or broker license in another state or in a jurisdiction recognized by the Association of Real Estate License Law Officials, with an equivalent real estate licensing law as determined by the commission;
    - (ii) Has satisfactorily completed a commission-approved precicensing course for real estate broker candidates, or its equivalent as determined by the commission; and
    - (iii) Has experience as a full-time Hawaii-licensed real estate salesperson associated with a Hawaii-licensed real estate broker for at least three years of the five-year period immediately prior to the submission of the experience certification application and has practical real estate salesperson experience, as certified by the principal broker, principal brokers, broker in charge, or brokers in charge, as the case

may be, during the subject period. The candidate shall secure commission approval of the candidate's experience certification application prior to the date of the examination. Subject to commission approval, a candidate may request a determination of equivalency for the experience requirement based on real estate salesperson license experience or a current, unencumbered real estate broker license in another state, or in a jurisdiction recognized by the Association of Real Estate License Law Officials, with an equivalent real estate licensing law as determined by the commission."

SECTION 3. This Act shall not apply to licensees who have been duly licensed as a real estate broker or salesperson prior to the effective date of this Act. This Act shall apply only to new applicants who are applying for licensure as a real estate broker or salesperson for the first time on or after the effective date of this Act.

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

SECTION 5. This Act shall take effect on July 1, 2020.

(Approved July 2, 2019.)