

## ACT 149

S.B. NO. 729

A Bill for an Act Relating to Board Members.

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

SECTION 1. Section 467-4, Hawaii Revised Statutes, is amended to read as follows:

**“§467-4 Powers and duties of commission.** In addition to any other powers and duties authorized by law, the real estate commission shall:

- (1) Grant licenses, registrations, and certificates pursuant to this chapter;
- (2) Adopt, amend, or repeal rules as it may deem proper to effectuate this chapter and carry out its purpose, which is the protection of the general public in its real estate transactions. All rules shall be approved by the governor and [the] director of commerce and consumer affairs, and when adopted pursuant to chapter 91 shall have the force and effect of law. The rules may forbid acts or practices deemed by the commission to be detrimental to the accomplishment of the purpose of this chapter, and the rules may require real estate brokers and salespersons to complete educational courses or to make reports to the commission containing items of information as will better enable the commission to enforce this chapter and the rules, or as will better enable the commission from time to time to amend the rules to more fully effect the purpose of this chapter, and, further, the rules may require real estate brokers and salespersons to furnish reports to their clients containing matters of information as the commission deems necessary to promote the purpose of this chapter. This enumeration of specific matters that may properly be made the subject of rules shall not be construed to limit the commission's broad general power to make all rules necessary to fully effectuate the purpose of this chapter;
- (3) Enforce this chapter and rules adopted pursuant thereto;
- (4) Suspend, fine, terminate, or revoke any license, registration, or certificate for any cause prescribed by this chapter, or for any violation of the rules, and may [also] require additional education or reexamination, and refuse to grant any license, registration, or certificate for any cause that would be a ground for suspension, fine, termination, or revocation of a license, registration, or certificate;
- (5) Report to the governor and [the] legislature relevant information that shall include but not be limited to a summary of the programs and financial information about the trust funds, including balances

- and budgets, through the director of commerce and consumer affairs annually, before the convening of each regular session, and at other times and in other manners as the governor or the legislature may require concerning its activities;
- (6) Publish and distribute pamphlets and circulars, produce seminars and workshops, hold meetings in all counties, and require other education regarding any information as is proper to further the accomplishment of the purpose of this chapter;
  - (7) Enter into contract or contracts with qualified persons to assist the commission in effectuating the purpose of this chapter; ~~and~~
  - (8) Develop a curriculum for leadership training for condominium boards of directors, including pertinent provisions of chapter 514B, association governing documents, and the fiduciary duties of board members; and
- [(8)] (9) Establish standing committees to assist in effectuating this chapter and carry out its purpose, which shall meet ~~not~~ no less ~~often~~ than ten times annually, and shall from time to time meet in each of the counties.”

SECTION 2. The real estate commission shall submit a report of its progress on the development of a curriculum for leadership training for members of boards of directors of condominium associations and submit recommendations, including any proposed legislation, to the legislature no later than twenty days prior to the convening of the regular session of 2024.

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

SECTION 4. This Act shall take effect on July 1, 2023.

(Approved June 29, 2023.)