
A BILL FOR AN ACT

RELATING TO REAL ESTATE BROKERS.

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

1 SECTION 1. Section 467-8, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:

3 "(a) No license, registration, or certificate under this
4 chapter shall be issued to:

5 (1) Any individual applying for a real estate broker or
6 salesperson license who does not satisfy the
7 requirements set forth in section 467-9.5;

8 (2) Any individual applying for a real estate broker or
9 salesperson license unless the individual has
10 demonstrated by passing with a grade satisfactory to
11 the commission an examination appropriate to the
12 license sought that the individual has a reasonable
13 knowledge of:

14 (A) Estates, interests, and rights in real property;

15 (B) The documents or acts or occurrences by which
16 property is transferred or otherwise affected;

17 (C) The rights and duties of an agent;



H.B. NO. 51

- 1 (D) The laws of the State relating to real estate
2 brokers and salespersons; and
- 3 (E) Other subjects that the commission determines to
4 be essential for the protection of the general
5 public in its real estate transactions;
- 6 (3) Any person who does not possess a reputation for or
7 record of competency, honesty, truthfulness, financial
8 integrity, and fair dealing;
- 9 (4) Any partnership unless the real estate brokerage
10 business thereof is under the direct management of a
11 principal broker who is a general partner or employee
12 thereof and holds a current active real estate
13 broker's license;
- 14 (5) Any corporation unless the real estate brokerage
15 business thereof is under the direct management of a
16 principal broker who is an officer or employee thereof
17 and holds a current active real estate broker's
18 license;
- 19 (6) Any individual applying for a real estate broker's
20 license who does not have a current Hawaii real estate
21 salesperson's license;



- 1 (7) Any person with a trade name, partnership, limited
2 liability company, or corporation that is not
3 currently registered with the business registration
4 division of the department of commerce and consumer
5 affairs; provided that no real estate salesperson's
6 license shall be approved or issued with a trade name;
7 [~~or~~]
- 8 (8) Any limited liability company unless the real estate
9 brokerage business is under the direct management of a
10 principal broker who is a member of a member-managed
11 limited liability company or a manager of a manager-
12 managed limited liability company or employee and
13 holds a current active real estate broker's
14 license [~~-~~]; or
- 15 (9) Any individual applying for a real estate broker's
16 license who has been convicted in any state or country
17 of a felony involving intent to defraud or
18 misrepresent, which in this State is classified at
19 least as a class C felony."

20 SECTION 2. This Act does not affect rights and duties that
21 matured, penalties that were incurred, and proceedings that were
22 begun, before its effective date.



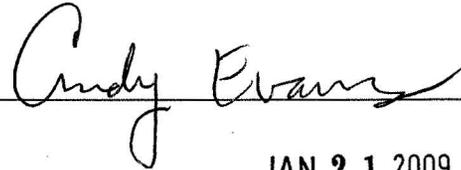
H.B. NO. 51

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

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

4

INTRODUCED BY:

A handwritten signature in cursive script, reading "Cindy Evans", is written over a horizontal line.

JAN 21 2009



Report Title:

Real Estate Brokers; Licensure Prohibitions

Description:

Prohibits persons convicted of felonies involving fraud or misrepresentation from being licensed as a real estate broker.

