

STAND. COM. REP. NO.

2396

Honolulu, Hawaii

FEB 14 2024

RE: S.B. No. 2697
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2024
State of Hawaii

Sir:

Your Committee on Commerce and Consumer Protection, to which was referred S.B. No. 2697 entitled:

"A BILL FOR AN ACT RELATING TO PROFESSIONAL LICENSURE,"

begs leave to report as follows:

The purpose and intent of this measure is to authorize the Department of Commerce and Consumer Affairs to revoke the licenses of architects who have been, or caused an employee of the Department of Commerce and Consumer Affairs to be, convicted of a criminal offense involving the acceptance of a bribe.

Your Committee received comments on this measure from the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects.

Your Committee finds that licensed architects that have admitted to and been sentenced for bribing county permitting workers can still run their businesses as usual, so long as their licenses remain in good standing pending any formal action taken to the contrary by the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects (Board). Your Committee further finds that it is in the public interest to allow the Department of Commerce and Consumer Affairs to revoke an architect's license in circumstances where the Board has delayed or failed to take necessary license revocation action. Therefore, this measure allows the Department of Commerce and Consumer



Affairs to revoke the licenses of architects involved in certain acts relating to bribery.

Notwithstanding, your Committee notes the testimony of the Board, expressing their concern that the language in the measure as currently drafted that allows for the revocation of the license of any architect who causes an employee of the Department of Commerce and Consumer Affairs to be convicted of a criminal offense involving the acceptance of a bribe is limiting, and that more general language should be used if the intent is to address bribery at large. Therefore, this measure requires amendments to address this concern.

Accordingly, your Committee has amended this measure by:

- (1) Clarifying that the Department of Commerce and Consumer Affairs shall revoke the license of any architect who has been, or caused a government employee to be, convicted of a criminal offense involving the acceptance of a bribe; and
- (2) Inserting an effective date of July 1, 2040, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2697, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2697, S.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Commerce and
Consumer Protection,



JARRETT KEOHOKALOLE, Chair



