

JAN 23 2025

A BILL FOR AN ACT

RELATING TO THE REAL ESTATE COMMISSION.

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

1 SECTION 1. The legislature finds that the real estate
2 commission is responsible for, among other things, overseeing
3 condominium projects, condominium associations, managing agents,
4 and condominium hotel operators. The real estate commission is
5 also responsible for administering the condominium education
6 trust fund for educational purposes, including education and
7 research in the field of condominium management. Presently,
8 there are approximately 1,668 condominium association
9 registrations and twenty-nine condominium hotel operator
10 registrations in the State. The expertise of the real estate
11 commission is therefore critical to ensuring accountability and
12 compliance with existing condominium law.

13 Accordingly, to promote the safety of the hundreds of
14 thousands of residents who live in the condominiums across the
15 State, the purpose of this Act is to require that at least two
16 members of the real estate commission be licensed professional
17 engineers or professional architects who have been engaged in



1 business within the State for three years preceding their
2 appointment to the real estate commission.

3 SECTION 2. Section 467-3, Hawaii Revised Statutes, is
4 amended to read as follows:

5 **"§467-3 Commission, appointments, qualifications, tenure.**

6 There shall be appointed a commission to be known as the real
7 estate commission, to consist of nine members, at least four of
8 whom shall be licensed real estate brokers who have been engaged
9 in business as licensed real estate brokers or salespersons for
10 three years immediately preceding their appointments [~~each of~~
11 ~~whom~~]. At least two members shall be licensed professional
12 engineers or architects who have been engaged in business as a
13 licensed professional engineer or architect in the State for
14 three years immediately preceding their appointments. All
15 members shall be a citizen of the United States and shall have
16 resided in the State for at least three years preceding
17 appointment, and one of whom shall be designated by the
18 appointing power as chairperson. Four members shall be
19 residents of the city and county of Honolulu, one shall be a
20 resident of the county of Hawaii, one shall be a resident of the



1 county of Maui, and one shall be a resident of the county of
2 Kauai and two members shall be public members.

3 Appointments shall be made for a term of four years,
4 commencing from the date of expiration of the last preceding
5 term and shall be made to expire on June 30. Appointments shall
6 be made so that at least one appointment shall be required each
7 year.

8 Any vacancy shall be filled by appointment for the
9 unexpired term."

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

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

13

INTRODUCED BY: _____

A handwritten signature in black ink, appearing to be 'JBL', is written over a horizontal line.

S.B. NO. 1212

Report Title:

Real Estate Commission; Membership; Requirements; Professional Engineers; Architects

Description:

Requires at least two members of the Real Estate Commission to be licensed professional engineers or architects engaged in business in the State for three years immediately preceding the appointment.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

