

**Testimony of the Hawai'i Real Estate Commission**

**Before the  
Senate Committee on Commerce and Consumer Protection  
Tuesday, February 3, 2026  
9:31 a.m.  
Via Videoconference**

**On the following measure:  
S.B. 2771, RELATING TO LICENSING**

Chair Keohokalole and Members of the Committee:

My name is Derrick Yamane, and I am the Chairperson of the Hawai'i Real Estate Commission ("Commission"). The Commission offers comments on this bill.

The purpose of this bill is to allow a person to provide an individual taxpayer identification number ("ITIN") in lieu of a social security number in the person's application for a professional or vocational license within the department of commerce and consumer affairs and sit for a real estate licensing examination, given that the person satisfies all other requirements to be licensed, is not violating any laws regarding employment, and can show proof of continued residence in the State.

Currently, a social security number is produced as evidence that the real estate examination candidate is a United States citizen, a United States national, or an alien authorized to work in the United States. This requirement is used to conform to the federal mandate found in 42 United States Code section 666, requiring individual states provide effective support for child support enforcement programs.

In this proposal, a real estate licensing candidate may present an ITIN, take and pass the license examination, and apply for and receive state approved licensure. However, according to the Internal Revenue Service's guidance<sup>1</sup>, an ITIN does not authorize its holder to work. If the individual is not authorized to work, the Commission is concerned that this may create potential civil liability on the candidate's employer or the hiring brokerage firm.

Thank you for the opportunity to testify on this bill.

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<sup>1</sup> <https://www.irs.gov/individuals/international-taxpayers/individual-taxpayer-identification-number-itin-reminders-for-tax-professionals>, 1/31/2026

**LATE**



**JOSH GREEN, M.D.**  
GOVERNOR | KE KIA'ĀINA  
  
**SYLVIA LUKE**  
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA

**STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII**  
**OFFICE OF THE DIRECTOR**  
**DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS**  
**KA 'OIHANA PILI KĀLEPA**  
335 MERCHANT STREET, ROOM 310  
P.O. BOX 541  
HONOLULU, HAWAII 96809  
Phone Number: 1-844-808-DCCA (3222)  
Fax Number: (808) 586-2856  
cca.hawaii.gov

**NADINE Y. ANDO**  
DIRECTOR | KA LUNA HO'OKELE  
  
**DEAN I. HAZAMA**  
DEPUTY DIRECTOR | KA HOPE LUNA HO'OKELE

## **Testimony of the Professional and Vocational Licensing Division**

**Before the**  
**Senate Committee on Commerce and Consumer Protection**  
**Tuesday, February 3, 2026**  
**9:31 a.m.**  
**Via Videoconference**

**On the following measure:**  
**S.B. 2771, RELATING TO LICENSING**

Chair Keohokalole and Members of the Committee:

My name is Cindy Matsushita, and I am the Administrator for the Professional and Vocational Licensing Division of the Department of Commerce and Consumer Affairs ("Department"). The Department offers comments on this bill.

The purpose of this bill is to allow a person to provide an individual taxpayer identification number in lieu of a social security number in the person's application for a professional or vocational license within the department of commerce and consumer affairs, given that the person satisfies all other requirements to be licensed, is not violating any laws regarding employment, and can show proof of continued residence in the State.

While the Department appreciates the intent of this bill, the collection of social security numbers in license applications is performed pursuant to 42 United States

Code §666(a)(13)(a), which provides in part that, in order to effectuate child support enforcement:

“(a)...each State must have in effect laws requiring the use of the following procedures...

(13) Recording of Social Security Numbers in Certain Family Matters. –

Procedures requiring that the social security number of –

(A) any applicant for a professional license, driver’s license, occupational license, recreational license, or marriage license be recorded on the application”

Accordingly, any amendment to HRS §436B-10 to the contrary would be in violation of federal law.

Thank you for the opportunity to testify on this bill.

**SB-2771**

Submitted on: 2/1/2026 12:50:01 PM  
Testimony for CPN on 2/3/2026 9:31:00 AM

Submitted By	Organization	Testifier Position	Testify
Victor K. Ramos	Individual	Oppose	Written Testimony Only

**Comments:**

OPPOSE strongly this measure. I see no reason or justification to make same changes. This is just another proposal that follows the "flavor of the day" narrative of the Democrat Party.