

ACT 71

S.B. NO. 1381

A Bill for an Act Relating to Real Estate Brokers and Salesmen.

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

SECTION 1. Section 467-8, Hawaii Revised Statutes, is amended to read as follows:

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“**§467-8 Prerequisites for licensing.** No license [hereunder] under this chapter shall be issued to:

- (1) Any person who does not satisfy the requirements set forth in section 467-9.5;
- (2) Any person unless the person has demonstrated by passing with a grade satisfactory to the [real estate] commission [a written] an examination appropriate to the license sought that the person has a reasonable knowledge of (A) estates, interests, and rights in real property, (B) the documents or acts or occurrences by which such property is transferred or otherwise affected, (C) the rights and duties of an agent, (D) the laws of the State relating to real estate brokers and salespersons, and (E) such other subjects as the commission determines to be essential for the protection of the general public in its real estate transactions;
- (3) Any person who does not possess a reputation for honesty, truthfulness, financial integrity, and fair dealing;
- (4) Any [copartnership] partnership unless [every member of the copartnership who actively participates in] the real estate brokerage business thereof is under the direct management of a general partner or employee thereof and unless the general partner or employee holds a real estate broker's license; or
- (5) Any corporation unless the real estate brokerage business thereof is under the direct management of an officer or employee thereof and unless the officer or employee holds a real estate broker's license.”

SECTION 2. Statutory material to be repealed is bracketed. New statutory material is underscored.

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

(Approved April 26, 1993.)