

ACT 182

H.B. NO. 1202

A Bill for an Act Relating to Business.

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

SECTION 1. Section 436B-27, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

“(b) Any person, who engages in an activity requiring a license issued by the licensing authority and who fails to obtain the required license, or who uses any word, title, or representation to induce the false belief that the person is licensed to engage in the activity, other than a ~~[circumstance of first instance involving the inadvertent failure to renew a previously existing license;]~~ licensee who inadvertently fails to maintain licensing requirements under the appropriate licensing statute and who subsequently corrects the failure so that there was no lapse in licensure, shall be guilty of a misdemeanor and each day of unlicensed activity shall be deemed a separate offense.”

SECTION 2. Section 708-8300, Hawaii Revised Statutes, is amended by amending subsection (1) to read as follows:

“(1) A person commits the offense of unlicensed contracting activity if the person:

- (a) Engages in any activity that requires a contractor’s license under chapter 444 and is not a licensed contractor ~~[when]~~ engaging in the activity, other than ~~[an offense involving the inadvertent failure to renew a previously existing license;]~~ a contractor who inadvertently fails to maintain licensing requirements under chapter 444 and who subsequently corrects the failure so that there was a lapse of no more than sixty days in licensure; or
- (b) Uses any word, title, or representation to induce the false belief that the person is licensed under chapter 444 to engage in contracting activity.”

SECTION 3. This Act does not affect rights and duties that matured, penalties that were incurred, and proceedings that were begun before its effective date.

SECTION 4. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 5. This Act shall take effect on July 1, 2013.

(Approved June 25, 2013.)