

JAN 15 2014

A BILL FOR AN ACT

RELATING TO UNLICENSED CONTRACTOR FRAUD.

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

1 SECTION 1. Section 708-8302, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "~~[+]§708-8302[+]~~ **Unlicensed contractor fraud.** (1) A
4 person commits the offense of unlicensed contractor fraud if the
5 person:

6 (a) Engages in any activity that requires a contractor's
7 license under chapter 444 and is not licensed as a
8 contractor under chapter 444 when the person engages
9 in the activity; and

10 (b) While engaged in the activity, obtains or exerts
11 control over the property of another by deception,
12 with intent to deprive the other of the property.

13 (2) For purposes of this section~~[, "deception," as~~
14 ~~defined]~~:

15 "Deception" has the same meaning as in section 708-800[~~7~~]
16 and includes deception as to the person's status as a licensed
17 contractor or as to permits required to engage in the activity.



1 "Intent to deprive" may be formed before or after the
2 person obtains or exerts control over the property of another."

3 SECTION 2. This Act does not affect rights and duties that
4 matured, penalties that were incurred, and proceedings that were
5 begun before its effective date.

6 SECTION 3. Statutory material to be repealed is bracketed
7 and stricken. New statutory material is underscored.

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

9

INTRODUCED BY:

Upton Hill



S.B. NO. 2076

Report Title:

Unlicensed Contractor Fraud

Description:

Specifies that, for purposes of the offense of unlicensed contractor fraud, the "intent to deprive" may be formed before or after the person obtains or exerts control over the property of another.

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