
A BILL FOR AN ACT

RELATING TO THE CONTRACTORS RECOVERY FUND.

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

1 SECTION 1. Section 444-26, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:
3 "(a) The board is authorized to establish and maintain a
4 contractors recovery fund from which any person injured by an
5 act, representation, transaction, or conduct of a duly licensed
6 contractor, which is in violation of this chapter or the rules
7 adopted pursuant thereto, may recover by order of the circuit
8 court or district court of the judicial circuit where the
9 violation occurred, an amount of not more than [~~\$12,500~~] \$25,000
10 per contract, regardless of the number of persons injured under
11 the contract, for damages sustained by the act, representation,
12 transaction, or conduct. Recovery from the fund shall be
13 limited to the actual damages suffered by the claimant,
14 including court costs and fees as set by law, and reasonable
15 attorney fees as determined by the court; provided that recovery
16 from the fund shall not be awarded to persons injured by an act,
17 representation, transaction, or conduct of a contractor whose



1 license was suspended, revoked, forfeited, terminated, or in an
2 inactive status at the time the claimant entered into the
3 contract with the contractor."

4 SECTION 2. Section 444-34, Hawaii Revised Statutes, is
5 amended to read as follows:

6 "~~§444-34~~ **Maximum liability.** Notwithstanding any other
7 provision, the liability of the contractors recovery fund shall
8 not exceed [~~\$25,000~~] \$75,000 for any licensed contractor."

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 Statutory material to be repealed is bracketed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

11 SECTION 4. This Act shall take effect on January 1, 2050;
12 provided that on June 30, 2024, this Act shall be repealed and
13 sections 444-26(a) and 444-34, Hawaii Revised Statutes, shall be
14 reenacted in the form in which they read on the day before the
15 effective date of this Act.



S.B. NO. 1104
H.D. 1

Report Title:

Contractors Recovery Fund; Recovery; Homeowner

Description:

Increases the monetary amount an injured homeowner may recover from the contractors recovery fund. Effective 1/1/2050. (HD1)

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

2021-2458 SB1104 HD1 HMSO

