
A BILL FOR AN ACT

RELATING TO ACTIVE DUTY MILITARY ENTITLEMENTS.

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

1 SECTION 1. The purpose of this Act is to ensure that
2 military personnel, when called to active duty, are paid without
3 delay at the same rate as their active duty counterparts and are
4 entitled to basic allowance for housing.

5 SECTION 2. Section 121-39, Hawaii Revised Statutes, is
6 amended to read as follows:

7 "**§121-39 Pay of officers and warrant officers while on**
8 **active duty.** (a) Officers and warrant officers of the army or
9 air national guard while on active duty of the State shall
10 receive the pay and allowances of officers and warrant officers
11 of similar grades of the United States Army and Air Force,
12 respectively; provided that:

13 (1) The State shall allow officers and warrant officers to
14 directly deposit their pay by electronic means to
15 their personal banking accounts; and

16 (2) No pay or allowances shall be made to officers or
17 warrant officers for any service for which they



1 receive military pay and allowances from the United
2 States.

3 (b) When ordered to active duty, officers and warrant
4 officers of the army and air national guard shall be paid
5 without delay from the date of deployment and, subject to rules
6 adopted by the governor, shall be entitled to basic allowance
7 for housing."

8 SECTION 3. Section 121-40, Hawaii Revised Statutes, is
9 amended to read as follows:

10 **"§121-40 Pay of enlisted personnel while on active duty.**

11 (a) Enlisted personnel of the army and air national guard while
12 on active duty in the service of the State, except during
13 periods of annual field training or year-round field training,
14 shall receive the same pay and allowances as enlisted personnel
15 of similar rank in the United States Army and Air Force
16 respectively; provided that the:

17 (1) State shall allow enlisted personnel to directly
18 deposit their pay by electronic means to their
19 personal banking accounts; and

20 (2) Aggregate of the pay and allowances, computed on a
21 daily basis, shall in no event be less than the amount



1 equal to ten times the hourly wage specified in
2 section 387-2.

3 (b) When ordered to active duty, enlisted personnel of the
4 army and air national guard shall be paid without delay from the
5 date of deployment and, subject to rules adopted by the
6 governor, shall be entitled to basic allowance for housing."

7 SECTION 4. Section 121-42, Hawaii Revised Statutes, is
8 amended to read as follows:

9 **"§121-42 No pay without orders.** No officer or enlisted
10 member of the army or air national guard shall be entitled to
11 receive the pay herein provided unless the orders detailing the
12 officer or enlisted member for duty or subsequent orders,
13 specify that pay is to be received for the service rendered[-];
14 provided that if a non-active duty officer or enlisted member of
15 the army or air national guard is ordered to active duty, that
16 military member shall be paid without delay from the date of
17 deployment and, subject to rules adopted by the governor, shall
18 be entitled to basic allowance for housing."

19 SECTION 5. Section 122A-8, Hawaii Revised Statutes, is
20 amended to read as follows:



1 **"§122A-8 Pay and allowances.** (a) When in the active
 2 service of the State, members of the Hawaii state defense force
 3 shall receive from the State the same basic pay and allowance
 4 for subsistence as prescribed by federal law and regulations for
 5 members of the army national guard, of like grade and length of
 6 service, when in the active service of the United States.

7 ~~[Subject to rules adopted by the governor, members may be~~
 8 ~~subsisted in kind in lieu of a monetary allowance therefor.]~~

9 When ordered to active duty, members of the Hawaii state defense
 10 force shall be paid without delay from the date of deployment.

11 (b) Subject to rules adopted by the governor, members of
 12 the Hawaii state defense force when in the active service of the
 13 State ~~[may be quartered at the expense of the State or paid a~~
 14 ~~monetary allowance in lieu thereof.]~~ shall be entitled to basic
 15 allowance for housing."

16 SECTION 6. Section 123-8, Hawaii Revised Statutes, is
 17 amended to read as follows:

18 **"§123-8 Pay.** (a) When engaged in exercises afloat or
 19 participating in encampments for instructions ashore, and when
 20 serving on general courts-martial, officers and ~~[men]~~ enlisted
 21 personnel of the navy shall receive the same pay as is at the



1 time allowed by law to those holding similar positions in the
2 United States navy.

3 (b) When ordered to active duty, officers and enlisted
4 personnel of the navy shall be paid without delay from the date
5 of deployment and, subject to rules adopted by the governor,
6 shall be entitled to basic allowance for housing."

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

9 SECTION 8. This Act shall take effect on July 1, 2023.



Report Title:

Department of Defense; State Activation; Active Duty Military Pay; Basic Allowance for Housing

Description:

Requires the State to pay, without delay, military personnel called to active duty at the same rate as their active duty counterparts and provide basic housing allowance. (SD1)

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