

JAN 19 2024

A BILL FOR AN ACT

RELATING TO PENSION CALCULATIONS.

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

1 SECTION 1. Section 88-21.5, Hawaii Revised Statutes, is
2 amended by amending subsection (b) to read as follows:

3 "(b) For a member who becomes a member after June 30,
4 2012, unless a different meaning is plainly required by context,
5 "compensation" as used in this part:

6 (1) Means:

7 (A) The normal periodic payments of money for
8 service, the right to which accrues on an hourly,
9 daily, monthly, or annual basis;

10 (B) Shortage differentials;

11 (C) Elective salary reduction contributions under
12 sections 125, 403(b), and 457(b) of the Internal
13 Revenue Code of 1986, as amended;

14 (D) Twelve-month differentials for employees of the
15 department of education; ~~and~~

16 (E) Retroactive payments of those purposes and nature
17 of payments authorized in subparagraphs (A)



1 through (D), and certified as compensation
2 pursuant to section 88-64; and
3 (F) Payments for overtime while the member worked
4 during an emergency proclamation applicable to
5 that member;

6 (2) Shall not include any other additional or extra
7 payments to an employee or officer, including
8 overtime~~[,]~~ not specifically included in compensation
9 under paragraph (1)(F), supplementary payments,
10 bonuses, lump sum salary supplements, allowances, or
11 differentials, including differentials for stand-by
12 duty, temporary unusual work hazards, compression
13 differentials, or temporary differentials, except for
14 those expressly authorized pursuant to
15 paragraphs (1)(B) through (1)(E); and

16 (3) Retroactive payments shall be deemed earned when it
17 would have been earned, as determined by the system
18 pursuant to section 88-64."

19 SECTION 2. Statutory material to be repealed is bracketed
20 and stricken. New statutory material is underscored.



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

2

INTRODUCED BY:

A handwritten signature in black ink, appearing to be "J. A. ...", is written over a horizontal line.



S.B. NO. 2608

Report Title:

ERS; Public Employment; Pension Calculation; Overtime

Description:

Includes overtime pay earned during an emergency proclamation as part of the pension calculation for individuals who became a member of the Employees' Retirement System after 6/30/2012.

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