

STAND. COM. REP. NO.

2016

Honolulu, Hawaii

APR 04 , 2025

RE: S.B. No. 336

H.D. 1

Honorable Nadine K. Nakamura  
Speaker, House of Representatives  
Thirty-Third State Legislature  
Regular Session of 2025  
State of Hawaii

Madame:

Your Committee on Finance, to which was referred S.B. No. 336  
entitled:

"A BILL FOR AN ACT RELATING TO THE DEFENSE OF STATE  
EMPLOYEES,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Declare that the State has a duty to defend any professionally licensed or certified state employee from civil actions when the employee's actions were within the employee's scope of employment and were not grossly negligent or wanton, as long as the employee is cooperating with the State's defense;
- (2) Clarify that professionally licensed or certified state employees may employ their own attorneys at their own expense;
- (3) Require the Attorney General to work with the professionally licensed or certified state employee to amicably transfer representation to the successor counsel chosen by the employee if the State declines to defend the employee from a civil action on certain grounds; and



- (4) Require the Attorney General to file a confidential motion to withdraw as counsel if the Attorney General and professionally licensed or certified state employee cannot amicably transfer representation to the successor counsel.

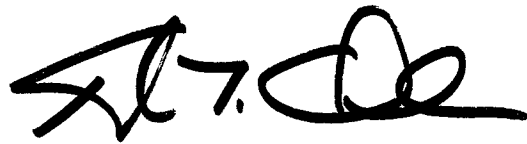
Your Committee received testimony in support of this measure from the Hawaii Association for Justice; Hawaii State AFL-CIO; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; and Hawai'i State Teachers Association.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 3000, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 336, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 336, H.D. 1.

Respectfully submitted on  
behalf of the members of the  
Committee on Finance,



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KYLE T. YAMASHITA, Chair



State of Hawaii  
House of Representatives  
The Thirty-third Legislature

**HSCR 2016**

**Record of Votes of the Committee on Finance**

<b>Bill/Resolution No.:</b> <span style="font-size: 1.2em;">SB336</span>	<b>Committee Referral:</b> <span style="font-size: 1.2em;">JTA, FIN</span>	<b>Date:</b> <span style="font-size: 1.2em;">3/31/25</span>		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
<b>The recommendation is to:</b> <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
FIN Members	Ayes	Ayes (WR)	Nays	Excused
1. YAMASHITA, Kyle T. (C)	/			
2. TAKENOUCHI, Jenna (VC)	/			
3. GRANDINETTI, Tina Nakada	/			
4. HOLT, Daniel				/
5. HUSSEY, Ikaika	/			
6. KEOHOKAPU-LEE LOY, Sue L.	/			
7. KITAGAWA, Lisa	/			
8. KUSCH, Matthias	/			
9. LAMOSAO, Rachele F.	/			
10. LEE, Mike	/			
11. MIYAKE, Tyson K.	/			
12. MORIKAWA, Dee	/			
13. TEMPLO, Shirley Ann	/			
14. ALCOS III, David	/			
15. REYES ODA, Julie	/			
16. WARD, Gene				/
<b>TOTAL (16)</b>	14	0	0	2
<b>The recommendation is:</b> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation <div style="text-align: center;">_____</div> <div style="text-align: center;">committee acronym(s)</div>				
<b>Vice Chair's or designee's signature:</b> _____				
<b>Distribution:</b> Original (White) – Committee      Duplicate (Yellow) – Chief Clerk's Office      Duplicate (Pink) – HMSO				