
A BILL FOR AN ACT

RELATING TO THE WORKERS' COMPENSATION LAW.

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

1 SECTION 1. Chapter 386, Hawaii Revised Statutes, is
2 amended by amending the title of part V, subpart C, to read as
3 follows:

4 "C. PUBLIC BOARD MEMBERS, RESERVE POLICE OFFICERS, POLICE
5 CHAPLAINS, VOLUNTEER FIREFIGHTERS, VOLUNTEER BOATING
6 ENFORCEMENT OFFICERS, [~~AND~~] VOLUNTEER CONSERVATION AND RESOURCES
7 ENFORCEMENT OFFICERS, AND RESERVE PUBLIC SAFETY LAW ENFORCEMENT
8 OFFICERS"

9 SECTION 2. Section 386-181, Hawaii Revised Statutes, is
10 amended to read as follows:

11 "**§386-181 Generally.** (a) As used in this section:

12 "Police chaplain" means a member of an authorized
13 chaplaincy program of a county police department who performs
14 services in a voluntary and unpaid capacity under the authorized
15 direction of an officer of the department.

16 "Public board" means a governmental body, regardless of its
17 designation, duly created under authority vested by law for the



1 purposes of performing quasi-judicial, administrative, or
2 advisory functions.

3 "Reserve police officer" means a member of an authorized
4 reserve force of a county police department who performs
5 services in a voluntary and unpaid capacity under the authorized
6 direction of an officer of the department.

7 "Reserve public safety law enforcement officer" means a
8 member of the authorized volunteer law enforcement force of the
9 department of public safety who performs services in a voluntary
10 and unpaid capacity under the authorized direction of an officer
11 of the department of public safety.

12 "Sheriffs' chaplain" means a member of an authorized
13 chaplaincy program of the department of public safety who
14 performs functions similar to a police chaplain in a voluntary
15 and unpaid capacity for the sheriff division.

16 "Volunteer boating enforcement officer" means a member of
17 the authorized volunteer enforcement force of the harbors
18 division, department of transportation, who performs services in
19 a voluntary and unpaid capacity under the authorized direction
20 of an officer of the department.



1 "Volunteer conservation and resources enforcement officer"
2 means a member of the authorized volunteer enforcement force of
3 the division of conservation and resources enforcement,
4 department of land and natural resources, who performs services
5 in a voluntary and unpaid capacity under the authorized
6 direction of an officer of the department.

7 "Volunteer firefighter" means a person who performs
8 services for a county fire department in a voluntary and unpaid
9 capacity under the authorized direction of an officer of the
10 department.

11 (b) If a member of a public board, a reserve police
12 officer, [a] police chaplain, reserve public safety law
13 enforcement officer, sheriffs' chaplain, [a] volunteer
14 firefighter, [a] volunteer boating enforcement officer, or [a]
15 volunteer conservation and resources enforcement officer is
16 injured while performing services for the board, county police
17 department, county fire department, department of public safety,
18 harbors division of the department of transportation, or
19 division of conservation and resources enforcement of the
20 department of land and natural resources, under the conditions
21 specified in section 386-3, the person or the person's



1 dependents shall be entitled to all compensation in the manner
2 provided by this chapter and, for the purposes of this chapter,
3 the person shall, in every case, be deemed to have earned wages
4 for the services.

5 (c) In computing the average weekly wages of an injured
6 public board member, reserve police officer, police chaplain,
7 reserve public safety law enforcement officer, sheriffs'
8 chaplain, volunteer firefighter, volunteer boating enforcement
9 officer, or volunteer conservation and resources enforcement
10 officer:

- 11 (1) The person's income from self-employment shall be
12 considered wages;
- 13 (2) The person shall, in no event, be considered to have
14 earned less than the minimum hourly wage prescribed in
15 chapter 387;
- 16 (3) Wages of other employees in comparable employment
17 shall not be considered; and
- 18 (4) All provisions of section 386-51 not inconsistent with
19 this section shall apply; provided that section 386-
20 51(5) shall not apply."



1 SECTION 3. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 4. This Act shall take effect on December 25,
4 2040.

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Report Title:

Workers' Compensation Law; Reserve Public Safety Law Enforcement Officers

Description:

Amends the title of chapter 386, part V, subpart C, Hawaii Revised Statutes (HRS), to add reserve public safety law enforcement officers. Amends the workers' compensation law to include reserve public safety law enforcement officers to the list of covered volunteer occupations. Allows reserve public safety law enforcement officers who are injured under the conditions specified in section 386-3, HRS, to receive workers' compensation. Adds reserve public safety law enforcement officers to the list of volunteers who are covered under the conditions for computing average weekly wages. Effective 12/25/2040. (HD1)

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