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# A BILL FOR AN ACT

RELATING TO PUBLIC SAFETY.

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

PART I

SECTION 1. The purpose of this Act is to:

- (1) Establish a new department of law enforcement to consolidate and administer the criminal law enforcement and investigations functions of the department of transportation, certain investigations functions of the department of the attorney general, functions of the office of homeland security, and current law enforcement and investigations functions of the department of public safety;
- (2) Rename the department of public safety as the department of corrections and rehabilitation, which will administer the corrections, rehabilitation, reentry, and related functions currently assigned to the department of public safety;
- (3) Establish a training center within the department of law enforcement;



(4) Transfer employees, appropriations, records, equipment, leases, contracts, other documents, rules, policies, procedures, guidelines, and other material, as appropriate, to the respective departments; and

(5) Establish positions and appropriate funds for the department of law enforcement and the department of corrections and rehabilitation.

Currently, corrections and certain law enforcement functions and activities are placed within the department of public safety. The legislature finds that the goals and functions of corrections and law enforcement are different and distinct and separating the functions of corrections and law enforcement from the department of public safety into two departments would best accomplish the discrete goals and objectives of both functions.

The legislature further finds that state law enforcement personnel and functions are currently spread across various departments. The department of public safety, department of transportation, and department of the attorney general all have independent law enforcement officers and different law enforcement duties. Because each department administers its own



1 law enforcement duties, goals, and functions, training and  
2 operational standards differ between each department.  
3 Accordingly, the reorganization of certain state law enforcement  
4 functions into a single entity would provide the highest level  
5 of law enforcement service for the public, state employees, and  
6 state properties. Consolidation of state law enforcement  
7 responsibilities into a single state department will centralize  
8 state law enforcement functions to increase public safety,  
9 improve decision making, promote accountability, streamline  
10 communication, decrease costs, reduce duplication of efforts,  
11 and provide uniform training and standards.

12 The goals of the department of law enforcement would  
13 include:

- 14 (1) Establishing a partnership with the federal Joint  
15 Terrorism Task Force to protect the State from  
16 domestic and foreign threats;  
17 (2) Eliminating the narcotics epidemic that plagues  
18 Hawaii's communities through its commitment of  
19 investigators in the federal High Intensity Drug  
20 Trafficking Area task forces;  
21 (3) Expanding the narcotics canine program; and



1 (4) Reducing gun violence and other violent criminal acts  
2 in island communities through participation in the  
3 federal Project Safe Neighborhoods program.

4 This Act also establishes a training center within the  
5 department of law enforcement to provide its law enforcement  
6 personnel the highest level of core and continuing education and  
7 training. The training center will also be made available to  
8 federal, state, and county law enforcement agencies upon their  
9 request. The development of a department of law enforcement  
10 training center, where all department of law enforcement  
11 officers who intend to work on any island of Hawaii must be  
12 certified, will ensure that all department of law enforcement  
13 officers meet the standards set by the law enforcement standards  
14 board established in chapter 139, Hawaii Revised Statutes. The  
15 center will also ensure that the individuals who earn its  
16 certification have learned the highest level of core and  
17 continuing education and training. The center's curriculum will  
18 be designed to ensure that the individuals trained here have the  
19 knowledge and skills to protect and serve the public and will be  
20 held accountable if they do not uphold the standards set by the  
21 law enforcement standards board.



1       The legislature also finds that consolidating adult  
2   corrections, reentry services, and other related functions into  
3   a separate department of corrections and rehabilitation will  
4   allow for the efficient use of resources in administering  
5   correctional programs and administering and maintaining public  
6   and private correctional services. The Hawaii correctional  
7   industries, Hawaii paroling authority, and crime victim  
8   compensation commission will be administered by the department  
9   of corrections and rehabilitation.

10       The legislature intends that patrol officers assigned to  
11   the department of law enforcement continue to retain the title  
12   of deputy sheriffs. During the Kingdom of Hawaii, sheriffs  
13   oversaw law enforcement activities on each island under the  
14   supervision of a kingdom-wide marshal. From 1905 to 1960,  
15   sheriffs protected the public as elected county officials,  
16   including Duke Kahanamoku who was elected Honolulu sheriff from  
17   1934 to 1960. Modern-day deputy sheriffs have protected the  
18   people of Hawaii for nearly fifty years, beginning in 1963 when  
19   the legislature created the office of the sheriff within the  
20   department of the attorney general.



1       The legislature does not intend to impair or diminish the  
2   longstanding authority and responsibility of county police  
3   departments to enforce the laws, along with state law  
4   enforcement, on state lands within their respective counties.  
5   County police departments will continue to have full law  
6   enforcement authority and responsibility, and in particular will  
7   continue to have concurrent jurisdiction with respect to state  
8   parks, state buildings, state highways, Hawaiian home lands, and  
9   other state lands and facilities.

10       Part II of this Act is to be effective upon approval of  
11   this Act. Part II establishes a department of law enforcement  
12   and its director and deputy directors. The department of law  
13   enforcement will initially be staffed by its director, deputy  
14   directors, and certain administrative staff. These personnel  
15   will prepare for the transfer of state law enforcement functions  
16   and personnel to the department in two stages to occur on  
17   January 1, 2023, and July 1, 2023.

18       Part III of this Act is to be effective on January 1, 2023.  
19   Part III transfers the law enforcement functions and personnel  
20   from the department of public safety to the department of law  
21   enforcement and makes conforming amendments.



1 Part IV of this Act is to be effective on January 1, 2023.  
2 Part IV renames the department of public safety as the  
3 department of corrections and rehabilitation and the director of  
4 public safety as the director of corrections and rehabilitation,  
5 establishes its deputy directors, and makes conforming  
6 amendments so that the authority and responsibilities of the  
7 department of corrections and rehabilitation are set forth in  
8 chapter 353, Hawaii Revised Statutes, while the authority and  
9 responsibilities of the department of law enforcement are set  
10 forth in chapter 353C, Hawaii Revised Statutes.

11 Part V of this Act is to be effective on July 1, 2023.  
12 Part V transfers the law enforcement functions and personnel of  
13 the department of transportation, the non-statutorily mandated  
14 functions and law enforcement personnel of the investigations  
15 division of the department of the attorney general, and the  
16 office of homeland security of the department of defense to the  
17 department of law enforcement.

18 Part VI of this Act provides for the retention of civil  
19 service status and related rights of transferred employees and  
20 transfers any appropriations, equipment, contracts, leases,



1 policies, rules, guidelines, and other items to the respective  
2 departments as provided in this Act.

3 Part VII of this Act appropriates funds to the department  
4 of law enforcement to establish and fill new positions and for  
5 costs that are required for the department's operations. These  
6 positions include the director of law enforcement, deputy  
7 directors, and certain administrative positions that will staff  
8 the department, as well as new positions that will be required  
9 when parts III and IV take effect on January 1, 2023. Part VII  
10 further appropriates funds to the department of corrections and  
11 rehabilitation to establish and fill new positions that will be  
12 required for the operation of the department when parts III and  
13 IV take effect on January 1, 2023.

14 PART II

15 SECTION 2. Chapter 26, Hawaii Revised Statutes, is amended  
16 by adding a new section to part I to be appropriately designated  
17 and to read as follows:

18 "§26- Department of law enforcement. (a) The  
19 department of law enforcement shall be headed by a single  
20 executive to be known as the director of law enforcement.





1       (b) The director of law enforcement shall appoint, without  
2 regard to chapter 76, two deputy directors to serve at the  
3 director's pleasure. Unless otherwise assigned by the director,  
4 one deputy director shall oversee the law enforcement programs  
5 of the department of law enforcement and one deputy director  
6 shall oversee administration of the department of law  
7 enforcement.

8       (c) The department of law enforcement shall be responsible  
9 for the formulation and implementation of state policies and  
10 objectives for security, law enforcement, and public safety  
11 programs and functions, for the service of process, and for the  
12 security of state buildings and state land."

13       SECTION 3. Section 26-4, Hawaii Revised Statutes, is  
14 amended to read as follows:

15       "**§26-4 Structure of government.** Under the supervision of  
16 the governor, all executive and administrative offices,  
17 departments, and instrumentalities of the state government and  
18 their respective functions, powers, and duties shall be  
19 allocated among and within the following principal departments  
20 that are hereby established:



- 1 (1) Department of human resources development (Section 26-  
2 5) ;
- 3 (2) Department of accounting and general services (Section  
4 26-6) ;
- 5 (3) Department of the attorney general (Section 26-7) ;
- 6 (4) Department of budget and finance (Section 26-8) ;
- 7 (5) Department of commerce and consumer affairs (Section  
8 26-9) ;
- 9 (6) Department of taxation (Section 26-10) ;
- 10 (7) University of Hawaii (Section 26-11) ;
- 11 (8) Department of education (Section 26-12) ;
- 12 (9) Department of health (Section 26-13) ;
- 13 (10) Department of human services (Section 26-14) ;
- 14 (11) Department of land and natural resources (Section 26-  
15 15) ;
- 16 (12) Department of agriculture (Section 26-16) ;
- 17 (13) Department of Hawaiian home lands (Section 26-17) ;
- 18 (14) Department of business, economic development, and  
19 tourism (Section 26-18) ;
- 20 (15) Department of transportation (Section 26-19) ;



(16) Department of labor and industrial relations (Section 26-20);

(17) Department of defense (Section 26-21);

(18) Department of public safety (Section 26-14.6) ~~[7]~~; and

(19) Department of law enforcement (Section 26- )."

SECTION 4. Section 26-52, Hawaii Revised Statutes, is amended to read as follows:

**"§26-52 Department heads and executive officers.** The salaries of the following state officers shall be as follows:

(1) The salary of the superintendent of education shall be set by the board of education at a rate no greater than \$250,000 a year. The superintendent shall be subject to an annual performance evaluation that is in alignment with other employee evaluations within the department of education and are based on outcomes determined by the board of education; provided that nothing shall prohibit the board of education from conditioning a portion of the salary on performance;

(2) The salary of the president of the University of Hawaii shall be set by the board of regents;



- (3) Effective July 1, 2004, the salaries of all department heads or executive officers of the departments of accounting and general services, agriculture, attorney general, budget and finance, business, economic development, and tourism, commerce and consumer affairs, Hawaiian home lands, health, human resources development, human services, labor and industrial relations, land and natural resources, law enforcement, public safety, taxation, and transportation shall be as last recommended by the executive salary commission. Effective July 1, 2007, and every six years thereafter, the salaries shall be as last recommended by the commission on salaries pursuant to section 26-56, unless rejected by the legislature; and
- (4) The salary of the adjutant general shall be \$85,302 a year. Effective July 1, 2007, and every six years thereafter, the salary of the adjutant general shall be as last recommended by the commission on salaries pursuant to section 26-56, unless rejected by the legislature, except that if the state salary is in



1 conflict with the pay and allowance fixed by the  
2 tables of the regular Army or Air Force of the United  
3 States, the latter shall prevail."

4 SECTION 5. Section 76-16, Hawaii Revised Statutes, is  
5 amended by amending subsection (b) to read as follows:

6 "(b) The civil service to which this chapter applies shall  
7 comprise all positions in the State now existing or hereafter  
8 established and embrace all personal services performed for the  
9 State, except the following:

10 (1) Commissioned and enlisted personnel of the Hawaii  
11 National Guard as such, and positions in the Hawaii  
12 National Guard that are required by state or federal  
13 laws or regulations or orders of the National Guard to  
14 be filled from those commissioned or enlisted  
15 personnel;

16 (2) Positions filled by persons employed by contract where  
17 the director of human resources development has  
18 certified that the service is special or unique or is  
19 essential to the public interest and that, because of  
20 circumstances surrounding its fulfillment, personnel  
21 to perform the service cannot be obtained through



- 1 normal civil service recruitment procedures. Any such  
2 contract may be for any period not exceeding one year;
- 3 (3) Positions that must be filled without delay to comply  
4 with a court order or decree if the director  
5 determines that recruitment through normal recruitment  
6 civil service procedures would result in delay or  
7 noncompliance, such as the Felix-Cayetano consent  
8 decree;
- 9 (4) Positions filled by the legislature or by either house  
10 or any committee thereof;
- 11 (5) Employees in the office of the governor and office of  
12 the lieutenant governor, and household employees at  
13 Washington Place;
- 14 (6) Positions filled by popular vote;
- 15 (7) Department heads, officers, and members of any board,  
16 commission, or other state agency whose appointments  
17 are made by the governor or are required by law to be  
18 confirmed by the senate;
- 19 (8) Judges, referees, receivers, masters, jurors, notaries  
20 public, land court examiners, court commissioners, and



1 attorneys appointed by a state court for a special  
2 temporary service;

3 (9) One bailiff for the chief justice of the supreme court  
4 who shall have the powers and duties of a court  
5 officer and bailiff under section 606-14; one  
6 secretary or clerk for each justice of the supreme  
7 court, each judge of the intermediate appellate court,  
8 and each judge of the circuit court; one secretary for  
9 the judicial council; one deputy administrative  
10 director of the courts; three law clerks for the chief  
11 justice of the supreme court, two law clerks for each  
12 associate justice of the supreme court and each judge  
13 of the intermediate appellate court, one law clerk for  
14 each judge of the circuit court, two additional law  
15 clerks for the civil administrative judge of the  
16 circuit court of the first circuit, two additional law  
17 clerks for the criminal administrative judge of the  
18 circuit court of the first circuit, one additional law  
19 clerk for the senior judge of the family court of the  
20 first circuit, two additional law clerks for the civil  
21 motions judge of the circuit court of the first



1 circuit, two additional law clerks for the criminal  
2 motions judge of the circuit court of the first  
3 circuit, and two law clerks for the administrative  
4 judge of the district court of the first circuit; and  
5 one private secretary for the administrative director  
6 of the courts, the deputy administrative director of  
7 the courts, each department head, each deputy or first  
8 assistant, and each additional deputy, or assistant  
9 deputy, or assistant defined in paragraph (16);

10 (10) First deputy and deputy attorneys general, the  
11 administrative services manager of the department of  
12 the attorney general, one secretary for the  
13 administrative services manager, an administrator and  
14 any support staff for the criminal and juvenile  
15 justice resources coordination functions, and law  
16 clerks;

17 (11) (A) Teachers, principals, vice-principals, complex  
18 area superintendents, deputy and assistant  
19 superintendents, other certificated personnel,  
20 not more than twenty noncertificated





1 administrative, professional, and technical  
2 personnel not engaged in instructional work;  
3 (B) Effective July 1, 2003, teaching assistants,  
4 educational assistants, bilingual/bicultural  
5 school-home assistants, school psychologists,  
6 psychological examiners, speech pathologists,  
7 athletic health care trainers, alternative school  
8 work study assistants, alternative school  
9 educational/supportive services specialists,  
10 alternative school project coordinators, and  
11 communications aides in the department of  
12 education;

13 (C) The special assistant to the state librarian and  
14 one secretary for the special assistant to the  
15 state librarian; and

16 (D) Members of the faculty of the University of  
17 Hawaii, including research workers, extension  
18 agents, personnel engaged in instructional work,  
19 and administrative, professional, and technical  
20 personnel of the university;



- 1 (12) Employees engaged in special, research, or  
2 demonstration projects approved by the governor;
- 3 (13) (A) Positions filled by inmates, patients of state  
4 institutions, persons with severe physical or  
5 mental disabilities participating in the work  
6 experience training programs;
- 7 (B) Positions filled with students in accordance with  
8 guidelines for established state employment  
9 programs; and
- 10 (C) Positions that provide work experience training  
11 or temporary public service employment that are  
12 filled by persons entering the workforce or  
13 persons transitioning into other careers under  
14 programs such as the federal Workforce Investment  
15 Act of 1998, as amended, or the Senior Community  
16 Service Employment Program of the Employment and  
17 Training Administration of the United States  
18 Department of Labor, or under other similar state  
19 programs;
- 20 (14) A custodian or guide at Iolani Palace, the Royal  
21 Mausoleum, and Hulihee Palace;



1       (15) Positions filled by persons employed on a fee,  
2           contract, or piecework basis, who may lawfully perform  
3           their duties concurrently with their private business  
4           or profession or other private employment and whose  
5           duties require only a portion of their time, if it is  
6           impracticable to ascertain or anticipate the portion  
7           of time to be devoted to the service of the State;

8       (16) Positions of first deputies or first assistants of  
9           each department head appointed under or in the manner  
10          provided in section 6, article V, of the Hawaii State  
11          Constitution; three additional deputies or assistants  
12          either in charge of the highways, harbors, and  
13          airports divisions or other functions within the  
14          department of transportation as may be assigned by the  
15          director of transportation, with the approval of the  
16          governor; four additional deputies in the department  
17          of health, each in charge of one of the following:  
18          behavioral health, environmental health, hospitals,  
19          and health resources administration, including other  
20          functions within the department as may be assigned by  
21          the director of health, with the approval of the



1           governor; two additional deputies in charge of the law  
2           enforcement programs, administration, or other  
3           functions within the department of law enforcement as  
4           may be assigned by the director of law enforcement,  
5           with the approval of the governor; an administrative  
6           assistant to the state librarian; and an  
7           administrative assistant to the superintendent of  
8           education;

9           (17) Positions specifically exempted from this part by any  
10          other law; provided that:

11          (A) Any exemption created after July 1, 2014, shall  
12               expire three years after its enactment unless  
13               affirmatively extended by an act of the  
14               legislature; and

15          (B) All of the positions defined by paragraph (9)  
16               shall be included in the position classification  
17               plan;

18          (18) Positions in the state foster grandparent program and  
19               positions for temporary employment of senior citizens  
20               in occupations in which there is a severe personnel  
21               shortage or in special projects;



- 1 (19) Household employees at the official residence of the  
2 president of the University of Hawaii;
- 3 (20) Employees in the department of education engaged in  
4 the supervision of students during meal periods in the  
5 distribution, collection, and counting of meal  
6 tickets, and in the cleaning of classrooms after  
7 school hours on a less than half-time basis;
- 8 (21) Employees hired under the tenant hire program of the  
9 Hawaii public housing authority; provided that not  
10 more than twenty-six per cent of the authority's  
11 workforce in any housing project maintained or  
12 operated by the authority shall be hired under the  
13 tenant hire program;
- 14 (22) Positions of the federally funded expanded food and  
15 nutrition program of the University of Hawaii that  
16 require the hiring of nutrition program assistants who  
17 live in the areas they serve;
- 18 (23) Positions filled by persons with severe disabilities  
19 who are certified by the state vocational  
20 rehabilitation office that they are able to perform  
21 safely the duties of the positions;



- 1       (24) The sheriff;
- 2       (25) A gender and other fairness coordinator hired by the
- 3       judiciary;
- 4       (26) Positions in the Hawaii National Guard youth and adult
- 5       education programs;
- 6       (27) In the state energy office in the department of
- 7       business, economic development, and tourism, all
- 8       energy program managers, energy program specialists,
- 9       energy program assistants, and energy analysts;
- 10      (28) Administrative appeals hearing officers in the
- 11      department of human services;
- 12      (29) In the Med-QUEST division of the department of human
- 13      services, the division administrator, finance officer,
- 14      health care services branch administrator, medical
- 15      director, and clinical standards administrator;
- 16      (30) In the director's office of the department of human
- 17      services, the enterprise officer, information security
- 18      and privacy compliance officer, security and privacy
- 19      compliance engineer, and security and privacy
- 20      compliance analyst;



(31) The Alzheimer's disease and related dementia services coordinator in the executive office on aging;

[+](32)[+] In the Hawaii emergency management agency, the executive officer, public information officer, civil defense administrative officer, branch chiefs, and emergency operations center state warning point personnel; provided that, for state warning point personnel, the director shall determine that recruitment through normal civil service recruitment procedures would result in delay or noncompliance; and

[+](33)[+] The executive director and seven full-time administrative positions of the school facilities authority.

The director shall determine the applicability of this section to specific positions.

Nothing in this section shall be deemed to affect the civil service status of any incumbent as it existed on July 1, 1955."

#### PART III

SECTION 6. All rights, powers, functions, and duties of the employees of the sheriff division, narcotics enforcement division, internal affairs office, and the law enforcement



1 officers within the training and staff development division of  
2 the department of public safety are transferred to the  
3 department of law enforcement. The positions of director of  
4 public safety, deputy director for administration, deputy  
5 director for corrections, and deputy director for law  
6 enforcement of the department of public safety shall become the  
7 positions of director of corrections and rehabilitation, deputy  
8 director for correctional institutions, deputy director for  
9 rehabilitation services and programs, and deputy director for  
10 administration, respectively, within the department of  
11 corrections and rehabilitation established in part IV of this  
12 Act.

13 SECTION 7. Chapter 353C, Hawaii Revised Statutes, is  
14 amended by adding a new section to be appropriately designated  
15 and to read as follows:

16 **"§353C- Statewide law enforcement training center.**  
17 There is established within the department a department of law  
18 enforcement training center. The center shall provide training  
19 and administer certification requirements of all department of  
20 law enforcement personnel who exercise police powers in the  
21 State. Such training shall conform to uniform statewide





1 standards set by the law enforcement standards board pursuant to  
2 chapter 139. The center shall operate and maintain such  
3 facilities as are necessary to conduct training and  
4 certification under this section."

5 SECTION 8. Section 88-21, Hawaii Revised Statutes, is  
6 amended by amending the definition of "public safety  
7 investigations staff investigators" to read as follows:

8 ""~~[Public safety]~~ Law enforcement investigations staff  
9 investigators"[+] means those employees in the investigations  
10 staff office of the department of [~~public safety~~] law  
11 enforcement who have been conferred police powers by the  
12 director of [~~public safety~~] law enforcement in accordance with  
13 section 353C-4 and are in the positions of investigator I to  
14 VII."

15 SECTION 9. Section 139-1, Hawaii Revised Statutes, is  
16 amended by amending the definition of "law enforcement officer"  
17 to read as follows:

18 ""Law enforcement officer" means:

- 19 (1) A police officer employed by a county police  
20 department;



(2) ~~[A public safety officer employed by the department of public safety;]~~ An employee of the department of law enforcement conferred with police powers by the director of law enforcement; or

(3) An employee of the department of transportation, department of land and natural resources, department of taxation, or department of the attorney general who is conferred by law with general police powers."

SECTION 10. Chapter 353C, Hawaii Revised Statutes, is amended by amending its title to read as follows:

**"CHAPTER 353C**

**[PUBLIC SAFETY] LAW ENFORCEMENT"**

SECTION 11. Section 353C-2, Hawaii Revised Statutes, is amended to read as follows:

**"§353C-2 Director of ~~[public safety;]~~ law enforcement; powers and duties.** ~~[+(a)]~~ The director of ~~[public safety]~~ law enforcement shall administer the public safety programs of the department ~~[of public safety]~~ and shall be responsible for the formulation and implementation of state goals and objectives for ~~[correctional and]~~ state law enforcement programs~~[, including ensuring that correctional facilities and correctional services~~



1 ~~meet the present and future needs of persons committed to the~~  
2 ~~correctional facilities.]~~ and homeland security, including the  
3 deployment of adequate resources and coordination with county  
4 police departments to protect the health and safety of homestead  
5 communities on Hawaiian home lands. In the administration of  
6 these programs, the director may:

7 (1) Preserve the public peace, prevent crime, detect and  
8 arrest offenders against the law, protect the rights  
9 of persons and property, and enforce and prevent  
10 violation of all laws and administrative rules of the  
11 State as the director deems to be necessary or  
12 desirable or upon request, to assist other state  
13 officers or agencies that have primary administrative  
14 responsibility over specific subject matters or  
15 programs;

16 (2) Train, equip, maintain, and supervise the force of  
17 ~~[public safety officers, including]~~ law enforcement  
18 ~~[and correctional personnel,]~~ officers and other  
19 employees of the department;

20 (3) Serve process both in civil and criminal proceedings;

21 (4) Perform other duties as may be required by law;



(5) Adopt, pursuant to chapter 91, rules that are necessary or desirable for the administration of ~~[public safety]~~ state law enforcement programs; and

(6) Enter into contracts ~~[in]~~ on behalf of the department and take all actions deemed necessary and appropriate for the proper and efficient administration of the department.

~~[(b)] The department of public safety shall report to the legislature not later than twenty days prior to the commencement of the 2008 regular session, and every session thereafter, with its achievements, continuing improvements, and ongoing problems in providing the appropriate mental health care to committed persons under its jurisdiction.]"~~

SECTION 12. Section 353C-3, Hawaii Revised Statutes, is amended to read as follows:

**"[~~§~~353C-3~~]~~ Deputy directors; appointment.** The director shall appoint, without regard to chapter 76, ~~[three]~~ two deputy directors to serve at the director's pleasure. Unless otherwise assigned by the director, one deputy director shall oversee the ~~[correctional programs and facilities of the department, one deputy director shall oversee the]~~ law



1 enforcement programs of the department, and one deputy director  
2 shall oversee administration of the department."

3 SECTION 13. Section 353C-4, Hawaii Revised Statutes, is  
4 amended as follows:

5 1. By amending subsection (a) to read:

6 "(a) The director may appoint employees to be [~~public~~  
7 ~~safety~~] state law enforcement officers who shall have all of the  
8 powers of police officers; provided that the director may  
9 establish and assign the employees to positions or categories of  
10 positions that may have differing titles, specific duties, and  
11 limitations upon the exercise of police powers."

12 2. By amending subsection (c) to read:

13 "(c) The duties of state law enforcement officers  
14 [~~transferred from the department of the attorney general by Act~~  
15 ~~211, Session Laws of Hawaii 1989,~~] shall [~~be responsible for~~]  
16 include conducting law enforcement operations and investigations  
17 throughout the State and maintaining public safety in state  
18 buildings as well as the personal protection of government  
19 officials and employees while in the conduct of their duties.  
20 The duties of state law enforcement officers shall also include  
21 the service of process, including subpoenas, warrants, and other



1 legal documents, and other duties as the director may assign[  
2 ~~including the performance of duties of other public safety~~  
3 ~~officers within the department~~]. State law enforcement officers  
4 shall have all of the powers of police officers, including the  
5 power of arrest. This section does not relieve county police  
6 officers of any authority or responsibility to enforce laws or  
7 to maintain public safety on state lands and in state  
8 buildings."

9 SECTION 14. Section 353C-5, Hawaii Revised Statutes, is  
10 amended by amending subsections (a), (b), and (c) to read as  
11 follows:

12 "(a) The department shall develop standards to ensure the  
13 reputable and responsible characters of staff members [~~of its~~  
14 ~~correctional facilities~~], which shall include criminal history  
15 record checks.

16 (b) For purposes of this section:

17 "Prospective staff member" means any applicant for a job in  
18 the department [~~of public safety that is directly involved with~~  
19 ~~the treatment and care of persons committed to a facility or~~  
20 ~~that requires~~] that involves the exercise of police powers[~~]~~



1 conferred by the director, including the power to arrest [~~in the~~  
2 ~~performance of its duties~~].

3 "Staff member" means any employee of the department [~~of~~  
4 ~~public safety who is directly involved with the treatment and~~  
5 ~~care of persons committed to a facility or~~] who possesses police  
6 powers[~~7~~] conferred by the director, including the power of  
7 arrest.

8 (c) The department shall obtain criminal history record  
9 information through the Hawaii criminal justice data center in  
10 accordance with section 846-2.7, on all staff members and  
11 prospective staff members of the department of [~~public safety.~~]  
12 law enforcement. Prospective staff members shall be  
13 fingerprinted and the criminal history record check shall be  
14 completed [~~prior to~~] before beginning employment."

15 SECTION 15. Section 353C-6, Hawaii Revised Statutes, is  
16 amended to read as follows:

17 "[~~+~~]**\$353C-6[+]** **Parking fees, exemption.** Notwithstanding  
18 any other law, rule, or provision to the contrary, [~~special~~  
19 ~~service deputies~~] law enforcement officers of the department of  
20 [~~public safety~~] law enforcement are exempt from all state and  
21 county parking meter fees and county time parking restrictions



1 while in the performance of their official duties, including  
2 attendance at court; provided that this exemption shall:

3 (1) Apply exclusively to state owned law enforcement  
4 vehicles assigned to the department of ~~[public~~  
5 ~~safety]~~ law enforcement; and

6 (2) Not apply to private individuals retained by the  
7 department on a contractual basis to serve civil  
8 process in any capacity."

9 SECTION 16. Section 707-700, Hawaii Revised Statutes, is  
10 amended by amending the definition of "emergency worker" to read  
11 as follows:

12 ""Emergency worker" means any:

13 (1) Law enforcement officer, including any police officer,  
14 ~~[public safety officer]~~ employee of the department of  
15 law enforcement conferred with police powers by the  
16 director of law enforcement, parole or probation  
17 officer, or any other officer of any county, state,  
18 federal, or military agency authorized to exercise law  
19 enforcement or police powers;





1 (2) Firefighter, emergency medical services personnel,  
2 emergency medical technician, ambulance crewmember, or  
3 any other emergency response personnel;

4 (3) Member of the Hawaii National Guard on any duty or  
5 service done under or in pursuance of an order or call  
6 of the governor or the President of the United States  
7 or any proper authority;

8 (4) Member of the United States Army, Air Force, Navy,  
9 Marine Corps, or Coast Guard on any duty or service  
10 performed under or in pursuance of an order or call of  
11 the President of the United States or any proper  
12 authority;

13 (5) Member of the National Guard from any other state  
14 ordered into service by any proper authority; or

15 (6) Person engaged in emergency management functions as  
16 authorized by the director of Hawaii emergency  
17 management or the administrator or director of the  
18 county emergency management agency or as otherwise  
19 authorized under chapter 127A."

20 SECTION 17. (a) Sections 28-151, 78-52, 134-81, 139-7,  
21 200-2, 205A-62, 291E-6.5, 328-16, 329-1, 329-11, 329-18, 329-20,



1 329-23, 329-31, 329-32, 329-33, 329-34, 329-35, 329-36, 329-37,  
2 329-51, 329-54, 329-55, 329-57, 329-58, 329-61, 329-63, 329-64,  
3 329-66, 329-67, 329-68, 329-71, 329-72, 329-75, 334D-5, 350-1.1,  
4 353C-1, 353C-8, 386-181, 651-1, 662-16, and 844D-38, Hawaii

5 Revised Statutes, are amendeded by substituting the phrase  
6 "department of law enforcement", or similar term, wherever the  
7 phrase "department of public safety", or similar term, appears.

8 (b) Sections 134C-2, 139-2, 200-27, 226-64, 329-51, 329-  
9 59, 329-69, 346-382, 353C-1, 577E-3, 587A-4, 614-2, and 651-1,  
10 Hawaii Revised Statutes, are amendmed by substituting the phrase  
11 "director of law enforcement", or similar term, wherever the  
12 phrase "director of public safety", or similar term, appears, as  
13 the context requires.

14 (c) Sections 501-154, 603-29, 604-6.2, 607-4, 607-8, 633-  
15 8, 634-11, 634-12, 634-22, 634-29, 652-1.5, 652-2, 652-2.5, 652-  
16 2.6, 654-2, 666-11, and 666-21, Hawaii Revised Statutes, are  
17 amendmed by substituting the phrase "department of law  
18 enforcement's", or similar term, wherever the phrase "department  
19 of public safety's", or similar term, appears.

20 (d) Sections 88-45, 88-47, 88-74, and 88-321, Hawaii  
21 Revised Statutes, are amendmed by substituting the phrase "law



1 enforcement investigations staff", or similar term, wherever the  
2 phrase "public safety investigations staff", or similar term,  
3 appears.

4 PART IV

5 SECTION 18. Chapter 353, Hawaii Revised Statutes, is  
6 amended by adding seven new sections to part I to be  
7 appropriately designated and to read as follows:

8 **"§353-A Director of corrections and rehabilitation; powers**  
9 **and duties.** (a) The director shall be responsible for the  
10 formulation and implementation of state goals and objectives for  
11 correctional programs, including ensuring that correctional  
12 facilities and correctional services meet the present and future  
13 needs of persons committed to the correctional facilities. In  
14 the administration of these programs, the director may:

- 15 (1) Train, equip, maintain, and supervise correctional  
16 personnel and other employees of the department;  
17 (2) Perform other duties as may be required by law;  
18 (3) Adopt, pursuant to chapter 91, rules that are  
19 necessary or desirable for the administration of  
20 corrections; and



1       (4) Enter into contracts on behalf of the department and  
2       take all actions deemed necessary and appropriate for  
3       the proper and efficient administration of the  
4       department, including contracts for the custody and  
5       care of Hawaii inmates housed outside of the State.

6       (b) The department of corrections and rehabilitation shall  
7       report to the legislature not later than twenty days prior to  
8       the commencement of the regular session of 2024, and every  
9       session thereafter, with its achievements, continuing  
10      improvements, and ongoing problems in providing the appropriate  
11      mental health care to committed persons under its jurisdiction.

12      **\$353-B Deputy directors; appointment.** The director shall  
13      appoint, without regard to chapter 76, three deputy directors to  
14      serve at the director's pleasure. Unless otherwise assigned by  
15      the director, one deputy director shall oversee the correctional  
16      institutions of the department including prisons and jails  
17      within the State and any contracts for the custody and care of  
18      Hawaii inmates housed outside of the State, one deputy director  
19      shall oversee the rehabilitation services and programs of the  
20      department, and one deputy director shall oversee administration  
21      of the department.



1        §353-C    Correctional health care program.    There is  
2   established a correctional health care program within the  
3   department. The administrator of the correctional health care  
4   program and physicians who provide care to inmates shall be  
5   appointed by the director without regard to chapter 76.

6        §353-D    Criminal history record checks.    (a)    The  
7   department shall develop standards to ensure the reputable and  
8   responsible characters of staff members of the State's  
9   correctional facilities, which shall include criminal history  
10   record checks.

11        (b)    For purposes of this section:

12        "Prospective staff member" means any applicant for a job in  
13   the department that is directly involved with the treatment and  
14   care of persons committed to a facility.

15        "Staff member" means any employee of the department who is  
16   directly involved with the treatment and care of persons  
17   committed to a facility.

18        (c)    The department shall obtain criminal history record  
19   information through the Hawaii criminal justice data center in  
20   accordance with section 846-2.7, on all staff members and  
21   prospective staff members of the department. Prospective staff



1 members shall be fingerprinted and the criminal history record  
2 check shall be completed before beginning employment.

3 (d) The department may deny employment to a prospective  
4 staff member who was convicted of a crime other than a minor  
5 traffic violation involving a fine of \$50 or less and if the  
6 department finds from the prospective staff member's criminal  
7 history record that the prospective staff member poses a risk to  
8 the health, safety, security, or well-being of inmates under  
9 supervision and confinement, other staff, or the public at  
10 large.

11 (e) Staff members shall not be subject to termination  
12 based on findings in their criminal records except for:

13 (1) Those whose conviction of a crime occurred after  
14 May 8, 1989, or under circumstances in which a staff  
15 member is a fugitive from justice; and

16 (2) Crimes other than a minor traffic violation involving  
17 a fine of \$50 or less, where because of the staff  
18 member's conviction record, the staff member poses a  
19 risk to the health, safety, security, or well-being of  
20 inmates under supervision and confinement, other  
21 staff, or the public at large.



1        **§353-E   Federal reimbursement maximization special fund.**

2        (a) There is established in the state treasury the federal  
3        reimbursement maximization special fund, into which shall be  
4        deposited all federal reimbursements received by the department  
5        relating to the State Criminal Alien Assistance Program. Unless  
6        otherwise provided by law, all other receipts shall immediately  
7        be deposited to the credit of the general fund of the State.

8        (b) Moneys in the federal reimbursement maximization  
9        special fund shall be used by the department for the following  
10       purposes:

11       (1) To meet the state match requirement for federal grants  
12       and costs associated with federal grant reporting  
13       requirements, including administrative expenses such  
14       as the hiring of temporary staff;

15       (2) For any other purpose deemed necessary by the  
16       department for maintaining or pursuing federal grants;

17       (3) To hire consultants to provide training for  
18       corrections officers;

19       (4) To hire consultants to conduct facility or program  
20       evaluations;

21       (5) To rent or purchase vehicles to transport inmates;



1       (6) To provide pre-release and reentry programs;

2       (7) To improve technology; and

3       (8) To recruit and retain corrections workforce.

4       (c) The department shall prepare and submit an annual  
5 report on the status of the federal reimbursement maximization  
6 special fund to the legislature no later than twenty days before  
7 the convening of each regular session. The annual report shall  
8 include but not be limited to a description of the use of the  
9 funds.

10       **\$353-F Sexual assaults in prison.** (a) The department, to  
11 the best of the department's ability, shall address sexual  
12 assault in prison and make every effort to seek grant moneys  
13 from the federal government to implement those efforts. The  
14 department shall place priority upon establishing:

15       (1) Appropriate counseling services for sexual assault, to  
16 be made available to victims of prison sexual assault  
17 within twenty-four hours of the report of an assault;  
18 and

19       (2) Policies and standards of transparency to achieve a  
20 zero-tolerance policy for sexual assault.





1        (b) The department, no later than twenty days prior to the  
2 convening of each regular session, shall report data to the  
3 legislature regarding:

4        (1) Sexual assault by persons in custody against other  
5 persons in custody of the department;

6        (2) Sexual assault by correctional staff against persons  
7 in custody of the department;

8        (3) Non-criminal sexual misconduct by staff, including  
9 sexual harassment of persons in custody of the  
10 department;

11       (4) Criminal cases initiated, and closed by dismissal,  
12 plea, or verdict, for sexual assaults by or upon a  
13 person in custody of the department; and

14       (5) Civil claims filed and closed by dismissal,  
15 settlement, or verdict for sexual assaults by or upon  
16 a person in custody of the department.

17       (c) The department shall preserve any forensic evidence  
18 consisting of human biological specimens for collection by the  
19 relevant criminal investigation entity or coroner, if there is  
20 any indication of sexual assault leading to the death of any:



- 1        (1) Correctional facility or community correctional center  
2        employee who dies on the grounds of a correctional  
3        facility or community correctional center where Hawaii  
4        inmates reside or who sustains an injury on the  
5        grounds of a correctional facility or community  
6        correctional center where Hawaii inmates reside that  
7        causes the death of the employee; and  
8        (2) Hawaii inmate who is incarcerated in a state or  
9        contracted correctional facility.

10       **§353-G Correctional facility and community correctional**  
11 **center deaths; reporting.** (a) Within forty-eight hours, the  
12 director shall report to the governor, and the governor shall  
13 report to the legislature, the death of any:

- 14       (1) Correctional facility or community correctional center  
15       employee who dies on the grounds of a correctional  
16       facility or community correctional center where Hawaii  
17       inmates reside or who sustains an injury on the  
18       grounds of a correctional facility or community  
19       correctional center where Hawaii inmates reside that  
20       causes the death of the employee; or



1        (2) Hawaii inmate who is incarcerated in a state or  
2                contracted correctional facility.

3        (b) The report in subsection (a) shall include the  
4        following information:

5                (1) The name of the decedent;

6                (2) The gender and age of the decedent;

7                (3) Whether the decedent was an inmate or an employee;

8                (4) The location of the death or injury leading to the  
9                death;

10               (5) The date and time of the death;

11               (6) The cause of death; and

12               (7) Any indication of sexual assault leading to the death;  
13        provided that when the official cause of death has been  
14        determined, the director shall immediately report the official  
15        cause of death to the governor, and the governor shall  
16        immediately report the official cause of death to the  
17        legislature.

18               (c) Within thirty days of a death described in subsection  
19        (a), the director shall submit a report to the governor, and the  
20        governor shall submit the report to the legislature, of the



1 clinical mortality review conducted in response to the death,  
2 including correctional actions to be taken.

3 (d) The director shall have the discretion to withhold  
4 disclosure of the decedent's name or any information protected  
5 from disclosure by state or federal laws."

6 SECTION 19. Section 23-12, Hawaii Revised Statutes, is  
7 amended by amending subsection (b) to read as follows:

8 "(b) Each special, revolving, and trust fund shall be  
9 reviewed every five years as follows:

10 (1) Beginning 2014 and every five years thereafter, the  
11 auditor shall submit a review of the special,  
12 revolving, and trust funds of the department of  
13 accounting and general services; the department of  
14 agriculture; the department of budget and finance; and  
15 the department of land and natural resources;

16 (2) Beginning 2015 and every five years thereafter, the  
17 auditor shall submit a review of the special,  
18 revolving, and trust funds of the department of the  
19 attorney general; the department of business, economic  
20 development, and tourism; and the University of Hawaii  
21 system;



1 (3) Beginning 2016 and every five years thereafter, the  
2 auditor shall submit a review of the special,  
3 revolving, and trust funds within the judiciary and of  
4 the department of commerce and consumer affairs; the  
5 department of Hawaiian home lands; the department of  
6 health; and the department of human services;

7 (4) Beginning 2017 and every five years thereafter, the  
8 auditor shall submit a review of the special,  
9 revolving, and trust funds of the office of the  
10 governor; the office of Hawaiian affairs; and the  
11 department of education;

12 (5) Beginning 2018 and every five years thereafter, the  
13 auditor shall submit a review of the special,  
14 revolving, and trust funds of the department of labor  
15 and industrial relations; the department of taxation;  
16 the department of human resources development; the  
17 department of ~~[public safety,]~~ corrections and  
18 rehabilitation; the department of law enforcement; and  
19 all other moneys expended in accordance with section  
20 37-40; and



(6) Beginning 2014 and every five years thereafter, the auditor shall submit a review of the special, revolving, and trust funds of the department of transportation and the department of defense."

SECTION 20. Section 26-4, Hawaii Revised Statutes, is amended to read as follows:

**"§26-4 Structure of government.** Under the supervision of the governor, all executive and administrative offices, departments, and instrumentalities of the state government and their respective functions, powers, and duties shall be allocated among and within the following principal departments that are hereby established:

(1) Department of human resources development (Section 26-5) ;

(2) Department of accounting and general services (Section 26-6) ;

(3) Department of the attorney general (Section 26-7) ;

(4) Department of budget and finance (Section 26-8) ;

(5) Department of commerce and consumer affairs (Section 26-9) ;

(6) Department of taxation (Section 26-10) ;



- 1 (7) University of Hawaii (Section 26-11);  
2 (8) Department of education (Section 26-12);  
3 (9) Department of health (Section 26-13);  
4 (10) Department of human services (Section 26-14);  
5 (11) Department of land and natural resources (Section 26-  
6 15);  
7 (12) Department of agriculture (Section 26-16);  
8 (13) Department of Hawaiian home lands (Section 26-17);  
9 (14) Department of business, economic development, and  
10 tourism (Section 26-18);  
11 (15) Department of transportation (Section 26-19);  
12 (16) Department of labor and industrial relations (Section  
13 26-20);  
14 (17) Department of defense (Section 26-21);  
15 (18) Department of ~~[public safety]~~ corrections and  
16 rehabilitation (Section 26-14.6) [-]; and  
17 (19) Department of law enforcement (Section 26- )."

18 SECTION 21. Section 26-14.6, Hawaii Revised Statutes, is  
19 amended to read as follows:

20 "§26-14.6 Department of ~~[public safety]~~ corrections and  
21 rehabilitation. (a) The department of ~~[public safety]~~



1 corrections and rehabilitation shall be headed by a single  
2 executive to be known as the director of [~~public safety.~~]  
3 corrections and rehabilitation.

4 (b) The department of [~~public safety~~] corrections and  
5 rehabilitation shall be responsible for the formulation and  
6 implementation of state policies and objectives for the  
7 correctional[~~, security, law enforcement, and public safety~~  
8 ~~programs and functions,~~] system statewide and for the  
9 administration and maintenance of all public or private  
10 correctional facilities and services[~~, for the service of~~  
11 ~~process, and for the security of state buildings~~].

12 (c) Effective July 1, 1990, the Hawaii paroling authority  
13 and the crime victim compensation commission are placed within  
14 the department of public safety for administrative purposes  
15 only[~~-~~], and effective July 1, 2023, the Hawaii paroling  
16 authority and the crime victim compensation commission are  
17 placed within the department of corrections and rehabilitation  
18 for administrative purposes only.

19 (d) Effective July 1, 1990, the functions and authority  
20 heretofore exercised by:





(1) The department of corrections relating to adult corrections and the intake service centers;

(2) The judiciary relating to the sheriff's office and judiciary security personnel; and

(3) The department of the attorney general relating to state law enforcement officers and narcotics enforcement investigators with the narcotics enforcement division,

shall be transferred to the department of public safety.

Effective July 1, 2023, the functions and authority transferred in paragraph (1) shall be transferred to the department of corrections and rehabilitation, and the functions and authority transferred in paragraphs (2) and (3) shall be transferred to the department of law enforcement.

(e) Effective July 1, 1990, the functions and authority heretofore exercised by the department of health pursuant to chapters 329 and 329C, with the exception of sections 329-2, 329-3, and 329-4(3) to (8), shall be transferred to the department of public safety~~[+]~~; and effective July 1, 2023, those functions and authority shall be transferred to the department of law enforcement.



(f) Effective July 1, 1990, the functions, authority, and obligations, together with the limitations imposed thereon and the privileges and immunities conferred thereby, exercised by a "sheriff", "sheriffs", a "sheriff's deputy", "sheriff's deputies", a "deputy sheriff", "deputy sheriffs", or a "deputy", under sections 21-8, 47-18, 105-4, 134-51, 183D-11, 187A-14, 231-25, 281-108, 281-111, 286-52, 286-52.5, 321-1, 322-6, 325-9, 353-11, 356D-54, 356D-94, 383-71, 438-5, 445-37, 482E-4, 485A-202, 501-42, 501-171, 501-218, 521-78, 578-4, 584-6, ~~[587-33]~~, 603-29, 604-6.2, 606-14, 607-2, 607-4, 607-8, 633-8, 634-11, 634-12, 634-21, 634-22, 651-33, 651-37, 651-51, 654-2, 655-2, 657-13, 660-16, 666-11, 666-21, 803-23, 803-34, 803-35, 804-14, 804-18, 804-41, 805-1, 806-71, and 832-23 shall be exercised to the same extent by the department of public safety~~[-]~~; and effective July 1, 2023, those functions, authority, and obligations shall be exercised to the same extent by the department of law enforcement.

(g) Effective January 1, 1993, the functions and authority heretofore exercised by the attorney general and the department of the attorney general relating to the executive security officers shall be transferred to the department of public safety



1 [-]; and effective July 1, 2023, those functions and authority  
2 shall be transferred to the department of law enforcement.

3 (h) Effective July 1, 1999, the functions and authority  
4 heretofore exercised by the director of public safety and the  
5 department of public safety relating to after hours security  
6 contracts at department of education facilities, except for the  
7 security functions being performed by employees of the public  
8 library system as well as the contractual security services for  
9 the libraries, shall be transferred to the department of  
10 education.

11 (i) Effective January 1, 1993, the functions and authority  
12 heretofore exercised by the director of health and the  
13 department of health relating to uniformed security employees  
14 and security contracts at various state hospitals throughout the  
15 State shall be transferred to the department of public safety  
16 [-]; and effective July 1, 2023, those functions and authority  
17 shall be transferred to the department of law enforcement.

18 Effective July 1, 2005, the functions, authority, and employee  
19 positions of the department of public safety relating to  
20 uniformed security employees and security contracts at health  
21 facilities that are under the operation, management, and control



1 of the Hawaii health systems corporation shall be transferred to  
2 the Hawaii health systems corporation.

3 (j) Effective January 1, 1993, the functions and authority  
4 heretofore exercised by the director of human services and the  
5 department of human services relating to contractual security  
6 guard services shall be transferred to the department of public  
7 safety[-]; and effective July 1, 2023, those functions and  
8 authority shall be transferred to the department of law  
9 enforcement.

10 (k) Effective July 1, 1994, the functions and authority  
11 heretofore exercised by the adjutant general relating to  
12 security for national guard and state emergency management  
13 facilities in the Diamond Head complex, for after work hours,  
14 shall be transferred to the department of public safety[-]; and  
15 effective July 1, 2023, those functions and authority shall be  
16 transferred to the department of law enforcement.

17 (l) Effective July 1, 2002, the functions and authority  
18 heretofore exercised by the director of public safety and the  
19 department of public safety relating to after hours security  
20 contracts at department of education facilities, including all  
21 security functions being performed by employees of the public



1 library system, as well as the contractual security services for  
2 the libraries, shall be transferred to the department of  
3 education and the public library system as appropriate."

4 SECTION 22. Section 26-52, Hawaii Revised Statutes, is  
5 amended to read as follows:

6 "**§26-52 Department heads and executive officers.** The  
7 salaries of the following state officers shall be as follows:

8 (1) The salary of the superintendent of education shall be  
9 set by the board of education at a rate no greater  
10 than \$250,000 a year. The superintendent shall be  
11 subject to an annual performance evaluation that is in  
12 alignment with other employee evaluations within the  
13 department of education and are based on outcomes  
14 determined by the board of education; provided that  
15 nothing shall prohibit the board of education from  
16 conditioning a portion of the salary on performance;

17 (2) The salary of the president of the University of  
18 Hawaii shall be set by the board of regents;

19 (3) Effective July 1, 2004, the salaries of all department  
20 heads or executive officers of the departments of  
21 accounting and general services, agriculture, attorney



1           general, budget and finance, business, economic  
2           development, and tourism, commerce and consumer  
3           affairs, corrections and rehabilitation, Hawaiian home  
4           lands, health, human resources development, human  
5           services, labor and industrial relations, land and  
6           natural resources, [~~public safety,~~] law enforcement,  
7           taxation, and transportation shall be as last  
8           recommended by the executive salary commission.

9           Effective July 1, 2007, and every six years  
10          thereafter, the salaries shall be as last recommended  
11          by the commission on salaries pursuant to section  
12          26-56, unless rejected by the legislature; and

13          (4) The salary of the adjutant general shall be \$85,302 a  
14          year. Effective July 1, 2007, and every six years  
15          thereafter, the salary of the adjutant general shall  
16          be as last recommended by the commission on salaries  
17          pursuant to section 26-56, unless rejected by the  
18          legislature, except that if the state salary is in  
19          conflict with the pay and allowance fixed by the  
20          tables of the regular Army or Air Force of the United  
21          States, the latter shall prevail."



SECTION 23. Section 26-56, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

"(b) The commission shall review and recommend an appropriate salary for the governor, lieutenant governor, members of the legislature, justices and judges of all state courts, administrative director of the State or an equivalent position, and department heads or executive officers and the deputies or assistants to the department heads of the departments of:

(1) Accounting and general services;

(2) Agriculture;

(3) The attorney general;

(4) Budget and finance;

(5) Business, economic development, and tourism;

(6) Commerce and consumer affairs;

(7) Corrections and rehabilitation;

~~[(7)]~~ (8) Defense;

~~[(8)]~~ (9) Hawaiian home lands;

~~[(9)]~~ (10) Health;

~~[(10)]~~ (11) Human resources development;

~~[(11)]~~ (12) Human services;



- 1        [~~(12)~~] (13) Labor and industrial relations;  
2        [~~(13)~~] (14) Land and natural resources;  
3        [~~(14)~~] (15) [~~Public safety;~~] Law enforcement;  
4        [~~(15)~~] (16) Taxation; and  
5        [~~(16)~~] (17) Transportation.

6            The commission shall not review the salary of any position  
7 in the department of education or the University of Hawaii.

8            The commission may recommend different salaries for  
9 department heads and executive officers and different salary  
10 ranges for deputies or assistants to department heads; provided  
11 that the commission shall recommend the same salary range for  
12 deputies or assistants to department heads within the same  
13 department; provided further that the appointing official shall  
14 specify the salary for a particular position within the  
15 applicable range.

16           The commission shall not recommend salaries lower than  
17 salary amounts recommended by prior commissions replaced by this  
18 section."

19           SECTION 24. Section 76-16, Hawaii Revised Statutes, is  
20 amended by amending subsection (b) to read as follows:





1       "(b) The civil service to which this chapter applies shall  
2       comprise all positions in the State now existing or hereafter  
3       established and embrace all personal services performed for the  
4       State, except the following:

5       (1) Commissioned and enlisted personnel of the Hawaii  
6       National Guard as such, and positions in the Hawaii  
7       National Guard that are required by state or federal  
8       laws or regulations or orders of the National Guard to  
9       be filled from those commissioned or enlisted  
10      personnel;

11      (2) Positions filled by persons employed by contract where  
12      the director of human resources development has  
13      certified that the service is special or unique or is  
14      essential to the public interest and that, because of  
15      circumstances surrounding its fulfillment, personnel  
16      to perform the service cannot be obtained through  
17      normal civil service recruitment procedures. Any such  
18      contract may be for any period not exceeding one year;

19      (3) Positions that must be filled without delay to comply  
20      with a court order or decree if the director  
21      determines that recruitment through normal recruitment



1 civil service procedures would result in delay or  
2 noncompliance, such as the Felix-Cayetano consent  
3 decree;

4 (4) Positions filled by the legislature or by either house  
5 or any committee thereof;

6 (5) Employees in the office of the governor and office of  
7 the lieutenant governor, and household employees at  
8 Washington Place;

9 (6) Positions filled by popular vote;

10 (7) Department heads, officers, and members of any board,  
11 commission, or other state agency whose appointments  
12 are made by the governor or are required by law to be  
13 confirmed by the senate;

14 (8) Judges, referees, receivers, masters, jurors, notaries  
15 public, land court examiners, court commissioners, and  
16 attorneys appointed by a state court for a special  
17 temporary service;

18 (9) One bailiff for the chief justice of the supreme court  
19 who shall have the powers and duties of a court  
20 officer and bailiff under section 606-14; one  
21 secretary or clerk for each justice of the supreme



1 court, each judge of the intermediate appellate court,  
2 and each judge of the circuit court; one secretary for  
3 the judicial council; one deputy administrative  
4 director of the courts; three law clerks for the chief  
5 justice of the supreme court, two law clerks for each  
6 associate justice of the supreme court and each judge  
7 of the intermediate appellate court, one law clerk for  
8 each judge of the circuit court, two additional law  
9 clerks for the civil administrative judge of the  
10 circuit court of the first circuit, two additional law  
11 clerks for the criminal administrative judge of the  
12 circuit court of the first circuit, one additional law  
13 clerk for the senior judge of the family court of the  
14 first circuit, two additional law clerks for the civil  
15 motions judge of the circuit court of the first  
16 circuit, two additional law clerks for the criminal  
17 motions judge of the circuit court of the first  
18 circuit, and two law clerks for the administrative  
19 judge of the district court of the first circuit; and  
20 one private secretary for the administrative director  
21 of the courts, the deputy administrative director of



1 the courts, each department head, each deputy or first  
2 assistant, and each additional deputy, or assistant  
3 deputy, or assistant defined in paragraph (16);

4 (10) First deputy and deputy attorneys general, the  
5 administrative services manager of the department of  
6 the attorney general, one secretary for the  
7 administrative services manager, an administrator and  
8 any support staff for the criminal and juvenile  
9 justice resources coordination functions, and law  
10 clerks;

11 (11) (A) Teachers, principals, vice-principals, complex  
12 area superintendents, deputy and assistant  
13 superintendents, other certificated personnel,  
14 not more than twenty noncertificated  
15 administrative, professional, and technical  
16 personnel not engaged in instructional work;

17 (B) Effective July 1, 2003, teaching assistants,  
18 educational assistants, bilingual/bicultural  
19 school-home assistants, school psychologists,  
20 psychological examiners, speech pathologists,  
21 athletic health care trainers, alternative school



1 work study assistants, alternative school  
2 educational/supportive services specialists,  
3 alternative school project coordinators, and  
4 communications aides in the department of  
5 education;

6 (C) The special assistant to the state librarian and  
7 one secretary for the special assistant to the  
8 state librarian; and

9 (D) Members of the faculty of the University of  
10 Hawaii, including research workers, extension  
11 agents, personnel engaged in instructional work,  
12 and administrative, professional, and technical  
13 personnel of the university;

14 (12) Employees engaged in special, research, or  
15 demonstration projects approved by the governor;

16 (13) (A) Positions filled by inmates, patients of state  
17 institutions, persons with severe physical or  
18 mental disabilities participating in the work  
19 experience training programs;



1 (B) Positions filled with students in accordance with  
2 guidelines for established state employment  
3 programs; and

4 (C) Positions that provide work experience training  
5 or temporary public service employment that are  
6 filled by persons entering the workforce or  
7 persons transitioning into other careers under  
8 programs such as the federal Workforce Investment  
9 Act of 1998, as amended, or the Senior Community  
10 Service Employment Program of the Employment and  
11 Training Administration of the United States  
12 Department of Labor, or under other similar state  
13 programs;

14 (14) A custodian or guide at Iolani Palace, the Royal  
15 Mausoleum, and Hulihee Palace;

16 (15) Positions filled by persons employed on a fee,  
17 contract, or piecework basis, who may lawfully perform  
18 their duties concurrently with their private business  
19 or profession or other private employment and whose  
20 duties require only a portion of their time, if it is



1 impracticable to ascertain or anticipate the portion  
2 of time to be devoted to the service of the State;  
3 (16) Positions of first deputies or first assistants of  
4 each department head appointed under or in the manner  
5 provided in section 6, article V, of the Hawaii State  
6 Constitution; three additional deputies or assistants  
7 either in charge of the highways, harbors, and  
8 airports divisions or other functions within the  
9 department of transportation as may be assigned by the  
10 director of transportation, with the approval of the  
11 governor; four additional deputies in the department  
12 of health, each in charge of one of the following:  
13 behavioral health, environmental health, hospitals,  
14 and health resources administration, including other  
15 functions within the department as may be assigned by  
16 the director of health, with the approval of the  
17 governor; two additional deputies either in charge of  
18 the law enforcement programs, administration, or other  
19 functions within the department of law enforcement as  
20 may be assigned by the director of law enforcement,  
21 with the approval of the governor; three additional



deputies each in charge of the correctional  
institutions, rehabilitation services and programs,  
and administration or other functions within the  
department of corrections and rehabilitation as may be  
assigned by the director of corrections and  
rehabilitation, with the approval of the governor; an  
administrative assistant to the state librarian; and  
an administrative assistant to the superintendent of  
education;

(17) Positions specifically exempted from this part by any  
other law; provided that:

(A) Any exemption created after July 1, 2014, shall  
expire three years after its enactment unless  
affirmatively extended by an act of the  
legislature; and

(B) All of the positions defined by paragraph (9)  
shall be included in the position classification  
plan;

(18) Positions in the state foster grandparent program and  
positions for temporary employment of senior citizens





- 1 in occupations in which there is a severe personnel  
2 shortage or in special projects;
- 3 (19) Household employees at the official residence of the  
4 president of the University of Hawaii;
- 5 (20) Employees in the department of education engaged in  
6 the supervision of students during meal periods in the  
7 distribution, collection, and counting of meal  
8 tickets, and in the cleaning of classrooms after  
9 school hours on a less than half-time basis;
- 10 (21) Employees hired under the tenant hire program of the  
11 Hawaii public housing authority; provided that not  
12 more than twenty-six per cent of the authority's  
13 workforce in any housing project maintained or  
14 operated by the authority shall be hired under the  
15 tenant hire program;
- 16 (22) Positions of the federally funded expanded food and  
17 nutrition program of the University of Hawaii that  
18 require the hiring of nutrition program assistants who  
19 live in the areas they serve;
- 20 (23) Positions filled by persons with severe disabilities  
21 who are certified by the state vocational



- 1 rehabilitation office that they are able to perform  
2 safely the duties of the positions;
- 3 (24) The sheriff;
- 4 (25) A gender and other fairness coordinator hired by the  
5 judiciary;
- 6 (26) Positions in the Hawaii National Guard youth and adult  
7 education programs;
- 8 (27) In the state energy office in the department of  
9 business, economic development, and tourism, all  
10 energy program managers, energy program specialists,  
11 energy program assistants, and energy analysts;
- 12 (28) Administrative appeals hearing officers in the  
13 department of human services;
- 14 (29) In the Med-QUEST division of the department of human  
15 services, the division administrator, finance officer,  
16 health care services branch administrator, medical  
17 director, and clinical standards administrator;
- 18 (30) In the director's office of the department of human  
19 services, the enterprise officer, information security  
20 and privacy compliance officer, security and privacy



1 compliance engineer, and security and privacy  
2 compliance analyst;

3 (31) The Alzheimer's disease and related dementia services  
4 coordinator in the executive office on aging;

5 [+] (32) [+] In the Hawaii emergency management agency, the  
6 executive officer, public information officer, civil  
7 defense administrative officer, branch chiefs, and  
8 emergency operations center state warning point  
9 personnel; provided that, for state warning point  
10 personnel, the director shall determine that  
11 recruitment through normal civil service recruitment  
12 procedures would result in delay or noncompliance; and

13 [+] (33) [+] The executive director and seven full-time  
14 administrative positions of the school facilities  
15 authority.

16 The director shall determine the applicability of this  
17 section to specific positions.

18 Nothing in this section shall be deemed to affect the civil  
19 service status of any incumbent as it existed on July 1, 1955."

20 SECTION 25. Section 84-18, Hawaii Revised Statutes, is  
21 amended by amending subsection (e) to read as follows:



"(e) Subject to the restrictions imposed in subsections (a) through (d), the following individuals shall not represent any person or business for a fee or other consideration regarding any legislative action or administrative action, as defined in section 97-1, for twelve months after termination from their respective positions:

- (1) The governor;
- (2) The lieutenant governor;
- (3) The administrative director of the State;
- (4) The attorney general;
- (5) The comptroller;
- (6) The chairperson of the board of agriculture;
- (7) The director of finance;
- (8) The director of business, economic development, and tourism;
- (9) The director of commerce and consumer affairs;
- (10) The adjutant general;
- (11) The superintendent of education;
- (12) The chairperson of the Hawaiian homes commission;
- (13) The director of health;
- (14) The director of human resources development;



- 1 (15) The director of human services;
- 2 (16) The director of labor and industrial relations;
- 3 (17) The chairperson of the board of land and natural
- 4 resources;
- 5 (18) The director of public safety;
- 6 (19) The director of taxation;
- 7 (20) The director of transportation;
- 8 (21) The president of the University of Hawaii;
- 9 (22) The executive administrator of the board of regents of
- 10 the University of Hawaii;
- 11 (23) The administrator of the office of Hawaiian affairs;
- 12 (24) The chief information officer;
- 13 (25) The executive director of the agribusiness development
- 14 corporation;
- 15 (26) The executive director of the campaign spending
- 16 commission;
- 17 (27) The executive director of the Hawaii community
- 18 development authority;
- 19 (28) The executive director of the Hawaii housing finance
- 20 and development corporation;



- 1 (29) The president and chief executive officer of the  
2 Hawaii tourism authority;
- 3 (30) The executive officer of the public utilities  
4 commission;
- 5 (31) The state auditor;
- 6 (32) The director of the legislative reference bureau;
- 7 (33) The ombudsman;
- 8 (34) The permanent employees of the legislature, other than  
9 persons employed in clerical, secretarial, or similar  
10 positions;
- 11 (35) The administrative director of the courts;
- 12 (36) The executive director of the state ethics commission;
- 13 (37) The executive officer of the state land use  
14 commission;
- 15 (38) The executive director of the natural energy  
16 laboratory of Hawaii authority;
- 17 (39) The executive director of the Hawaii public housing  
18 authority; ~~and~~
- 19 (40) The first deputy to the chairperson of the commission  
20 on water resource management;
- 21 (41) The director of law enforcement; and



1       (42) The director of corrections and rehabilitation;  
2 provided that this subsection shall not apply to any person who  
3 has held one of the positions listed above only on an interim or  
4 acting basis and for a period of less than one hundred eighty-  
5 one days."

6       SECTION 26. Chapter 353, Hawaii Revised Statutes, is  
7 amended by amending its title to read as follows:

8                               **"CHAPTER 353**

9                               **CORRECTIONS AND REHABILITATION"**

10       SECTION 27. Section 846-2.7, Hawaii Revised Statutes, is  
11 amended by amending subsection (b) to read as follows:

12       "(b) Criminal history record checks may be conducted by:

13       (1) The department of health or its designee on operators  
14           of adult foster homes for individuals with  
15           developmental disabilities or developmental  
16           disabilities domiciliary homes and their employees, as  
17           provided by section 321-15.2;

18       (2) The department of health or its designee on  
19           prospective employees, persons seeking to serve as  
20           providers, or subcontractors in positions that place  
21           them in direct contact with clients when providing



1 non-witnessed direct mental health or health care  
2 services as provided by section 321-171.5;

3 (3) The department of health or its designee on all  
4 applicants for licensure or certification for,  
5 operators for, prospective employees, adult  
6 volunteers, and all adults, except adults in care, at  
7 healthcare facilities as defined in section 321-15.2;

8 (4) The department of education on employees, prospective  
9 employees, and teacher trainees in any public school  
10 in positions that necessitate close proximity to  
11 children as provided by section 302A-601.5;

12 (5) The counties on employees and prospective employees  
13 who may be in positions that place them in close  
14 proximity to children in recreation or child care  
15 programs and services;

16 (6) The county liquor commissions on applicants for liquor  
17 licenses as provided by section 281-53.5;

18 (7) The county liquor commissions on employees and  
19 prospective employees involved in liquor  
20 administration, law enforcement, and liquor control  
21 investigations;





- 1           (8) The department of human services on operators and  
2           employees of child caring institutions, child placing  
3           organizations, and foster boarding homes as provided  
4           by section 346-17;
- 5           (9) The department of human services on prospective  
6           adoptive parents as established under section 346-19.7;
- 7           (10) The department of human services or its designee on  
8           applicants to operate child care facilities, household  
9           members of the applicant, prospective employees of the  
10          applicant, and new employees and household members of  
11          the provider after registration or licensure as  
12          provided by section 346-154, and persons subject to  
13          section 346-152.5;
- 14          (11) The department of human services on persons exempt  
15          pursuant to section 346-152 to be eligible to provide  
16          child care and receive child care subsidies as  
17          provided by section 346-152.5;
- 18          (12) The department of health on operators and employees of  
19          home and community-based case management agencies and  
20          operators and other adults, except for adults in care,



1           residing in community care foster family homes as  
2           provided by section 321-15.2;

3       (13)   The department of human services on staff members of  
4           the Hawaii youth correctional facility as provided by  
5           section 352-5.5;

6       (14)   The department of human services on employees,  
7           prospective employees, and volunteers of contracted  
8           providers and subcontractors in positions that place  
9           them in close proximity to youth when providing  
10          services on behalf of the office or the Hawaii youth  
11          correctional facility as provided by section 352D-4.3;

12       (15)   The judiciary on employees and applicants at detention  
13          and shelter facilities as provided by section 571-34;

14       (16)   The department of [~~public safety~~] corrections and  
15          rehabilitation on employees and prospective employees  
16          who are directly involved with the treatment and care  
17          of persons committed to a correctional facility [~~or~~  
18          ~~who possess~~] as provided by section 353-D and the  
19          department of law enforcement on employees and  
20          prospective employees whose duties involve or may



1           involve the exercise of police powers including the  
2           power of arrest as provided by section 353C-5;

3           (17) The board of private detectives and guards on  
4           applicants for private detective or private guard  
5           licensure as provided by section 463-9;

6           (18) Private schools and designated organizations on  
7           employees and prospective employees who may be in  
8           positions that necessitate close proximity to  
9           children; provided that private schools and designated  
10          organizations receive only indications of the states  
11          from which the national criminal history record  
12          information was provided pursuant to section 302C-1;

13          (19) The public library system on employees and prospective  
14          employees whose positions place them in close  
15          proximity to children as provided by section  
16          302A-601.5;

17          (20) The State or any of its branches, political  
18          subdivisions, or agencies on applicants and employees  
19          holding a position that has the same type of contact  
20          with children, vulnerable adults, or persons committed  
21          to a correctional facility as other public employees



1 who hold positions that are authorized by law to  
2 require criminal history record checks as a condition  
3 of employment as provided by section 78-2.7;

4 (21) The department of health on licensed adult day care  
5 center operators, employees, new employees,  
6 subcontracted service providers and their employees,  
7 and adult volunteers as provided by section 321-15.2;

8 (22) The department of human services on purchase of  
9 service contracted and subcontracted service providers  
10 and their employees serving clients of the adult  
11 protective and community services branch, as provided  
12 by section 346-97;

13 (23) The department of human services on foster grandparent  
14 program, senior companion program, and respite  
15 companion program participants as provided by section  
16 346-97;

17 (24) The department of human services on contracted and  
18 subcontracted service providers and their current and  
19 prospective employees that provide home and community-  
20 based services under section 1915(c) of the Social  
21 Security Act, title 42 United States Code section



1 1396n(c), or under any other applicable section or  
2 sections of the Social Security Act for the purposes  
3 of providing home and community-based services, as  
4 provided by section 346-97;

5 (25) The department of commerce and consumer affairs on  
6 proposed directors and executive officers of a bank,  
7 savings bank, savings and loan association, trust  
8 company, and depository financial services loan  
9 company as provided by section 412:3-201;

10 (26) The department of commerce and consumer affairs on  
11 proposed directors and executive officers of a  
12 nondepository financial services loan company as  
13 provided by section 412:3-301;

14 (27) The department of commerce and consumer affairs on the  
15 original chartering applicants and proposed executive  
16 officers of a credit union as provided by section  
17 412:10-103;

18 (28) The department of commerce and consumer affairs on:

19 (A) Each principal of every non-corporate applicant  
20 for a money transmitter license;



- 1 (B) Each person who upon approval of an application  
2 by a corporate applicant for a money transmitter  
3 license will be a principal of the licensee; and  
4 (C) Each person who upon approval of an application  
5 requesting approval of a proposed change in  
6 control of licensee will be a principal of the  
7 licensee,  
8 as provided by sections 489D-9 and 489D-15;
- 9 (29) The department of commerce and consumer affairs on  
10 applicants for licensure and persons licensed under  
11 title 24;
- 12 (30) The Hawaii health systems corporation on:
- 13 (A) Employees;
- 14 (B) Applicants seeking employment;
- 15 (C) Current or prospective members of the corporation  
16 board or regional system board; or
- 17 (D) Current or prospective volunteers, providers, or  
18 contractors,  
19 in any of the corporation's health facilities as  
20 provided by section 323F-5.5;
- 21 (31) The department of commerce and consumer affairs on:



- 1 (A) An applicant for a mortgage loan originator  
2 license, or license renewal; and
- 3 (B) Each control person, executive officer, director,  
4 general partner, and managing member of an  
5 applicant for a mortgage loan originator company  
6 license or license renewal,  
7 as provided by chapter 454F;
- 8 (32) The state public charter school commission or public  
9 charter schools on employees, teacher trainees,  
10 prospective employees, and prospective teacher  
11 trainees in any public charter school for any position  
12 that places them in close proximity to children, as  
13 provided in section 302D-33;
- 14 (33) The counties on prospective employees who work with  
15 children, vulnerable adults, or senior citizens in  
16 community-based programs;
- 17 (34) The counties on prospective employees for fire  
18 department positions that involve contact with  
19 children or vulnerable adults;



- 1       (35) The counties on prospective employees for emergency  
2           medical services positions that involve contact with  
3           children or vulnerable adults;
- 4       (36) The counties on prospective employees for emergency  
5           management positions and community volunteers whose  
6           responsibilities involve planning and executing  
7           homeland security measures including viewing,  
8           handling, and engaging in law enforcement or  
9           classified meetings and assisting vulnerable citizens  
10          during emergencies or crises;
- 11       (37) The State and counties on employees, prospective  
12           employees, volunteers, and contractors whose position  
13           responsibilities require unescorted access to secured  
14           areas and equipment related to a traffic management  
15           center;
- 16       (38) The State and counties on employees and prospective  
17           employees whose positions involve the handling or use  
18           of firearms for other than law enforcement purposes;
- 19       (39) The State and counties on current and prospective  
20           systems analysts and others involved in an agency's  
21           information technology operation whose position





responsibilities provide them with access to  
proprietary, confidential, or sensitive information;

(40) The department of commerce and consumer affairs on:

(A) Applicants for real estate appraiser licensure or  
certification as provided by chapter 466K;

(B) Each person who owns more than ten per cent of an  
appraisal management company who is applying for  
registration as an appraisal management company,  
as provided by section 466L-7; and

(C) Each of the controlling persons of an applicant  
for registration as an appraisal management  
company, as provided by section 466L-7;

(41) The department of health or its designee on all  
license applicants, licensees, employees, contractors,  
and prospective employees of medical cannabis  
dispensaries, and individuals permitted to enter and  
remain in medical cannabis dispensary facilities as  
provided under sections 329D-15(a)(4) and  
329D-16(a)(3);

(42) The department of commerce and consumer affairs on  
applicants for nurse licensure or license renewal,



1 reactivation, or restoration as provided by sections  
2 457-7, 457-8, 457-8.5, and 457-9;

3 (43) The county police departments on applicants for  
4 permits to acquire firearms pursuant to section 134-2  
5 and on individuals registering their firearms pursuant  
6 to section 134-3;

7 (44) The department of commerce and consumer affairs on:

8 (A) Each of the controlling persons of the applicant  
9 for licensure as an escrow depository, and each  
10 of the officers, directors, and principals who  
11 will be in charge of the escrow depository's  
12 activities upon licensure; and

13 (B) Each of the controlling persons of an applicant  
14 for proposed change in control of an escrow  
15 depository licensee, and each of the officers,  
16 directors, and principals who will be in charge  
17 of the licensee's activities upon approval of the  
18 application,

19 as provided by chapter 449;

20 (45) The department of taxation on current or prospective  
21 employees or contractors who have access to federal



1 tax information in order to comply with requirements  
2 of federal law, regulation, or procedure, as provided  
3 by section 231-1.6;

4 (46) The department of labor and industrial relations on  
5 current or prospective employees or contractors who  
6 have access to federal tax information in order to  
7 comply with requirements of federal law, regulation,  
8 or procedure, as provided by section 383-110;

9 (47) The department of human services on current or  
10 prospective employees or contractors who have access  
11 to federal tax information in order to comply with  
12 requirements of federal law, regulation, or procedure,  
13 as provided by section 346-2.5;

14 (48) The child support enforcement agency on current or  
15 prospective employees or contractors who have access  
16 to federal tax information in order to comply with  
17 federal law, regulation, or procedure, as provided by  
18 section 576D-11.5;

19 (49) The department of the attorney general on current or  
20 prospective employees or employees or agents of  
21 contractors who have access to federal tax information



1 to comply with requirements of federal law,  
2 regulation, or procedure, as provided by section 28-  
3 17;

4 [†] (50) [†] The department of commerce and consumer affairs on  
5 each control person, executive officer, director,  
6 general partner, and managing member of an installment  
7 loan licensee, or an applicant for an installment loan  
8 license, as provided in chapter 480J;

9 [†] (51) [†] The University of Hawaii on current and prospective  
10 employees and contractors whose duties include  
11 ensuring the security of campus facilities and  
12 persons; and

13 [†] (52) [†] Any other organization, entity, or the State, its  
14 branches, political subdivisions, or agencies as may  
15 be authorized by state law."

16 SECTION 28. (a) Sections 202-10, 304A-1751, 304A-1752,  
17 304A-1753, 304A-1754, 321-193.5, 329B-2.5, 351-11, 352-10, 353-  
18 1, 353-6.5, 353-8, 353-10, 353-10.5, 353-11.5, 353-13.1, 353-  
19 13.4, 353-16.37, 353-63.5, 353-131, 353-137, 353E-1, 353E-2,  
20 353G-2, 353G-3, 353G-4, 353G-5, 353G-6, 353G-13, 353G-14, 353G-  
21 16, 353H-2, 353H-2.5, 353H-3, 353H-4, 353H-6, 353H-7, 353H-8,



1 353H-31, 353H-32, 353L-3, 353L-5, 354D-1, 354D-2, 354D-8, 367D-  
2 2, 367D-8, 378-2.5, 706-604, 706-646, 706-667, 706-668.5, 706-  
3 669, 706-670, 706-670.5, 706-672, 706-673, 801D-4, 804-7, 844D-  
4 34, 844D-38, 844D-82, 844D-111, 846-11, 846-54, and 846E-1,  
5 Hawaii Revised Statutes, are amendeded by substituting the phrase  
6 "department of corrections and rehabilitation", or similar term,  
7 wherever the phrase "department of public safety", or similar  
8 term, appears.

9 (b) Sections 134-2, 321-193.5, 334-74, 346-29, 351-62.5,  
10 351-70, 353-10, 353-10.5, 353-15, 353-16.5, 353-22.6, 353-22.8,  
11 353-32, 353-63, 353-63.5, 353-65, 353-72, 353-101, 353-137,  
12 353B-3, 353D-4, 353H-5, 353H-7, 353H-31, 354D-2, 355-4, 355-5,  
13 355D-4, 355D-5, 367D-2, 367D-3, 367D-4, 367D-5, 706-656, 706-  
14 672, 707-731, 707-732, 804-7, 832-23, and 844D-61, Hawaii  
15 Revised Statutes, are amendded by substituting the phrase  
16 "director of corrections and rehabilitation", or similar term,  
17 wherever the phrase "director of public safety", or similar  
18 term, appears, as the context requires.

19 (c) Sections 353-10 and 353-12.5, Hawaii Revised Statutes,  
20 are amendded by substituting the phrase "department of  
21 corrections and rehabilitation's", or similar term, wherever the



1 phrase "department of public safety's", or similar term,  
2 appears, as the context requires.

3 PART V

4 SECTION 29. All rights, powers, functions, and duties of  
5 the employees of the investigations division of the department  
6 of the attorney general performing non-statutorily mandated  
7 functions are transferred to the department of law enforcement.

8 SECTION 30. All rights, powers, functions, and duties of  
9 the employees of the state office of homeland security are  
10 transferred to the department of law enforcement.

11 SECTION 31. All rights, powers, functions, and duties of  
12 the employees of the department of transportation performing law  
13 enforcement functions and related employees are transferred to  
14 the department of law enforcement.

15 SECTION 32. Section 26-21, Hawaii Revised Statutes, is  
16 amended by amending subsection (a) to read as follows:

17 "(a) The department of defense shall be headed by a single  
18 executive to be known as the adjutant general. The adjutant  
19 general shall also be the director of the Hawaii emergency  
20 management agency as established in section 127A-3 [~~and the~~  
21 ~~director of homeland security~~].



1 The department shall be responsible for the defense of the  
2 State and its people from mass violence, originating from either  
3 human or natural causes.

4 The devolution of command of the military forces in the  
5 absence of the adjutant general shall be within the military  
6 establishment. The devolution of command of the Hawaii  
7 emergency management agency in the absence of the adjutant  
8 general, as director of the agency, shall be within the agency."

9 SECTION 33. Section 128A-2, Hawaii Revised Statutes, is  
10 amended by amending the definition of "director of homeland  
11 security" or "director" to read as follows:

12 "~~"Director of homeland security" or "director"~~ "Director"  
13 means the ~~[adjutant general.]~~ director of law enforcement."

14 SECTION 34. Section 128A-3, Hawaii Revised Statutes, is  
15 amended by amending subsection (a) to read as follows:

16 "(a) There shall be established within the department of  
17 ~~[defense]~~ law enforcement an office of homeland security. The  
18 director ~~[of homeland security]~~ shall employ appropriate  
19 personnel and make expenditures as may be necessary to carry out  
20 this chapter. The director shall appoint an administrator of  
21 homeland security who shall be exempt from chapter 76, subject



1 to removal by the director, and receive compensation as the  
2 director may determine."

3 SECTION 35. Section 128B-1, Hawaii Revised Statutes, is  
4 amended by amending subsections (a) and (b) to read as follows:

5 "(a) There is established the full-time Hawaii  
6 cybersecurity, economic, education, and infrastructure security  
7 coordinator to oversee cybersecurity and cyber resiliency  
8 matters, including cybersecurity, economic, education, and  
9 infrastructure security for the State. The coordinator shall be  
10 placed within the [~~state~~] department of [~~defense~~] law  
11 enforcement.

12 (b) The coordinator shall be selected by the [~~state~~  
13 ~~adjutant-general~~] director of law enforcement based on the  
14 recommendations of the various agencies, departments, and  
15 private entities that will partner with the coordinator."

16 SECTION 36. Section 139-1, Hawaii Revised Statutes, is  
17 amended by amending the definition of "law enforcement officer"  
18 to read as follows:

19 ""Law enforcement officer" means:

20 (1) A police officer employed by a county police  
21 department;





1       (2) ~~[A public safety officer employed by the department of~~  
2       ~~public safety;]~~ An employee of the department of law  
3       enforcement conferred with police powers by the  
4       director of law enforcement; or

5       (3) An employee of the ~~[department of transportation,]~~  
6       department of land and natural resources, department  
7       of taxation, or department of the attorney general who  
8       is conferred by law with general police powers."

9       SECTION 37. Section 139-2, Hawaii Revised Statutes, is  
10      amended by amending subsection (a) to read as follows:

11       "(a) There is established the law enforcement standards  
12      board within the department of the attorney general for  
13      administrative purposes only. The purpose of the board shall be  
14      to provide programs and standards for training and certification  
15      of law enforcement officers. The law enforcement standards  
16      board shall consist of the following voting members: [~~nine~~]  
17      eight ex officio individuals, two law enforcement officers, and  
18      four members of the public.

19       (1) The [~~nine~~] eight ex officio members of the board shall  
20       consist of the:

21       (A) Attorney general;



1 (B) Director of ~~[public safety]~~ law enforcement;

2 ~~[(C) Director of transportation or the director's~~  
3 ~~designee;~~

4 ~~[(D)]~~ (C) Chairperson of the board of land and natural  
5 resources or chairperson's designee;

6 ~~[(E)]~~ (D) Director of taxation or the director's  
7 designee; and

8 ~~[(F)]~~ (E) Chiefs of police of the four counties;

9 (2) The two law enforcement officers shall each have at  
10 least ten years of experience as a law enforcement  
11 officer and shall be appointed by the governor; and

12 (3) The four members of the public shall consist of one  
13 member of the public from each of the four counties  
14 and shall be appointed by the governor. At least two  
15 of the four members of the public holding a position  
16 on the board at any given time shall:

17 (A) Possess a master's or doctorate degree related to  
18 criminal justice;

19 (B) Possess a law degree and have experience:

20 (i) Practicing in Hawaii as a deputy attorney  
21 general, a deputy prosecutor, deputy public



1 defender, or private criminal defense

2 attorney; or

3 (ii) Litigating constitutional law issues in

4 Hawaii;

5 (C) Be a recognized expert in the field of criminal

6 justice, policing, or security; or

7 (D) Have work experience in a law enforcement

8 capacity; provided that experience in a county

9 police department shall not itself be sufficient

10 to qualify under this paragraph."

11 SECTION 38. Section 139-7, Hawaii Revised Statutes, is  
12 amended by amending subsection (a) to read as follows:

13 "(a) No person shall be appointed or employed as a law  
14 enforcement officer by any county police department, the  
15 department of [~~public safety, the department of transportation,~~  
16 law enforcement, the department of land and natural resources,  
17 the department of taxation, or the department of the attorney  
18 general, unless the person possesses a valid certification  
19 issued by the board pursuant to section 139-6(b)."

20 SECTION 39. Section 266-24, Hawaii Revised Statutes, is  
21 amended by amending subsection (a) to read as follows:



1       "(a) ~~[The director of transportation shall enforce this~~  
2 ~~chapter and all rules thereunder, except for the rules relative~~  
3 ~~to the control and management of the beaches encumbered with~~  
4 ~~easements in favor of the public and ocean waters, which shall~~  
5 ~~be enforced by the department of land and natural resources.~~  
6 ~~For the purpose of the enforcement of this chapter and of all~~  
7 ~~rules adopted pursuant to this chapter, the powers of police~~  
8 ~~officers are conferred upon the director of transportation and~~  
9 ~~any officer, employee, or representative of the department of~~  
10 ~~transportation. Without limiting the generality of the~~  
11 ~~foregoing, the director and any person appointed by the director~~  
12 ~~hereunder may serve and execute warrants, arrest offenders, and~~  
13 ~~serve notices and orders. The director of transportation and~~  
14 ~~any employee, agent, or representative of the department of~~  
15 ~~transportation appointed as enforcement officers by the~~  
16 ~~director, and every]~~ Every state and county officer charged with  
17 the enforcement of any law, statute, rule, regulation,  
18 ordinance, or order, shall enforce and assist in the enforcement  
19 of this chapter and of all rules and orders issued pursuant  
20 thereto, and in carrying out the responsibilities hereunder,  
21 each shall be specifically authorized to:



1 (1) Conduct any enforcement action hereunder in any  
2 commercial harbor area and any area over which the  
3 department of transportation and the director of  
4 transportation has jurisdiction under this chapter;

5 (2) Inspect and examine at reasonable hours any premises,  
6 and the buildings and other structures thereon, where  
7 harbors or harbor facilities are situated, or where  
8 harbor-related activities are operated or conducted;  
9 and

10 (3) ~~[Subject to limitations as may be imposed by the~~  
11 ~~director of transportation, serve and execute~~  
12 ~~warrants, arrest offenders, and serve]~~ Serve notices  
13 and orders.

14 ~~[Any employee appointed as a law enforcement officer by the~~  
15 ~~director of transportation pursuant to this section who has been~~  
16 ~~qualified by training may use electric guns, as specifically~~  
17 ~~provided in section 134-87, when exercising powers of police~~  
18 ~~officers and carrying out the responsibilities described herein;~~  
19 ~~provided that training for the purposes of this section means a~~  
20 ~~course of instruction or training in the use of any electric gun~~  
21 ~~that is provided, authorized, or approved by the manufacturer of~~



1 ~~the electric gun prior to deployment or issuance of electric~~  
2 ~~guns and related equipment.~~

3 ~~For purposes of this subsection, "agent" and~~  
4 ~~"representative" includes but is not limited to persons~~  
5 ~~performing services at harbors or harbor areas under contract~~  
6 ~~with the department of transportation.]"~~

7 SECTION 40. Section 291-31.5, Hawaii Revised Statutes, is  
8 amended by amending subsection (a) to read as follows:

9 "(a) No person shall knowingly operate, affix or cause to  
10 be affixed, display, or possess any lamp, reflector, or  
11 illumination device that appears to be the color blue, or colors  
12 blue and red, upon any motor vehicle, motorcycle, motor scooter,  
13 bicycle, electric foot scooter, or moped, except for:

14 (1) County law enforcement vehicles authorized and  
15 approved by the chief of police of the county in which  
16 the vehicle is operated;

17 (2) Department of ~~[public safety]~~ law enforcement vehicles  
18 with blue and red lamps, reflectors, or illumination  
19 devices authorized and approved by the director of  
20 ~~[public safety,]~~ law enforcement; or



(3) Department of land and natural resources division of conservation and resources enforcement vehicles with blue and red lamps, reflectors, or illumination devices authorized and approved by the chairperson of the board of land and natural resources[~~for~~

~~(4) Department of transportation division of harbors law enforcement vehicles with blue and red lamps, reflectors, or illumination devices authorized and approved by the director of transportation].~~

This prohibition shall not apply to factory-installed instrument illumination."

SECTION 41. Section 291C-1, Hawaii Revised Statutes, is amended by amending the definition of "authorized emergency vehicle" to read as follows:

"Authorized emergency vehicle" includes fire department vehicles, police vehicles, ambulances, ocean safety vehicles, ~~[public safety]~~ law enforcement vehicles, conservation and resources enforcement vehicles, and department of ~~[transportation division of harbors]~~ the attorney general law enforcement vehicles authorized and approved pursuant to section



1 291-31.5 that are publicly owned and other publicly or privately  
2 owned vehicles designated as such by a county council."

3 PART VI

4 SECTION 42. All employees who occupy civil service  
5 positions and whose functions are transferred by this Act shall  
6 retain their civil service status (permanent or temporary).  
7 Employees shall be transferred without loss of salary, seniority  
8 (except as prescribed by collective bargaining agreements),  
9 retention points, prior service credit, any vacation and sick  
10 leave credits previously earned, and other rights, benefits, and  
11 privileges, in accordance with state personnel laws and this  
12 Act; provided that the employees possess the minimum  
13 qualifications and public employment requirements for the class  
14 or position to which transferred or appointed, as applicable;  
15 provided further that subsequent changes in status may be made  
16 pursuant to applicable civil service and compensation laws.

17 Any employee who, before this Act, is exempt from civil  
18 service and is transferred as a consequence of this Act may  
19 continue to retain the employee's exempt status but shall not be  
20 appointed to a civil service position because of this Act. An  
21 exempt employee who is transferred by this Act shall not suffer





1 any loss of prior service credit, any vacation and sick leave  
2 credits previously earned, or other employee benefits or  
3 privileges as a consequence of this Act; provided that the  
4 employee possesses legal and public employment requirements for  
5 the position to which transferred or appointed, as applicable;  
6 provided further that subsequent changes in status may be made  
7 pursuant to applicable employment and compensation laws. The  
8 director of the department to which the employee is transferred  
9 may prescribe the duties and qualifications of such employees  
10 and fix their salaries without regard to chapter 76, Hawaii  
11 Revised Statutes.

12 SECTION 43. All appropriations, records, equipment,  
13 machines, files, supplies, contracts, books, papers, documents,  
14 maps, and other personal property heretofore made, used,  
15 acquired, or held by the department of transportation,  
16 department of the attorney general, department of public safety,  
17 and department of defense relating to the functions transferred  
18 to the department of law enforcement or department of  
19 corrections and rehabilitation shall be transferred with the  
20 functions to which they relate.



1       SECTION 44. All leases, contracts, loans, agreements,  
2 permits, or other documents executed or entered into by or on  
3 behalf of the department of transportation, department of public  
4 safety, department of the attorney general, and department of  
5 defense pursuant to the provisions of the Hawaii Revised  
6 Statutes that are reenacted or made applicable to the department  
7 of law enforcement or department of corrections and  
8 rehabilitation by this Act shall remain in full force and  
9 effect. Effective January 1, 2023, every reference to the  
10 department of public safety or the director of public safety in  
11 those leases, contracts, loans, agreements, permits, or other  
12 documents shall be construed as a reference to the department of  
13 law enforcement or the director of law enforcement, or the  
14 department of corrections and rehabilitation or the director of  
15 corrections and rehabilitation, as appropriate. Effective  
16 July 1, 2023, every reference to the department of  
17 transportation or the director of transportation, the department  
18 of the attorney general or the attorney general, or the  
19 department of defense or the state adjutant general in those  
20 leases, contracts, loans, agreements, permits, or other  
21 documents shall be construed as a reference to the department of



1 law enforcement or the director of law enforcement, as  
2 applicable.

3 SECTION 45. All rules, policies, procedures, guidelines,  
4 and other material adopted or developed by the department of  
5 transportation, department of the attorney general, department  
6 of public safety, or the department of defense to implement  
7 provisions of the Hawaii Revised Statutes that are reenacted or  
8 made applicable to the department of law enforcement or the  
9 department of corrections and rehabilitation by this Act shall  
10 remain in full force and effect until amended or repealed by the  
11 department of law enforcement or department of corrections and  
12 rehabilitation pursuant to chapter 91, Hawaii Revised Statutes.  
13 In the interim, every reference to the department of  
14 transportation or director of transportation, department of the  
15 attorney general or attorney general, department of defense or  
16 state adjutant general, department of public safety or director  
17 of public safety, in those rules, policies, procedures,  
18 guidelines, and other material is amended to refer to the  
19 department of law enforcement or director of law enforcement, or  
20 department of corrections and rehabilitation or director of  
21 corrections and rehabilitation, as appropriate.



1       SECTION 46. No offense committed and no penalty or  
2 forfeiture incurred under the law shall be affected by this Act;  
3 provided that whenever any punishment, penalty, or forfeiture is  
4 mitigated by any provision of this Act, such provision may be  
5 extended and applied to any judgment pronounced after the  
6 passage of this Act. No suit or prosecution pending at the time  
7 this Act takes effect shall be affected by this Act. The right  
8 of any administrative officer whose function is transferred by  
9 this Act to the department of law enforcement or department of  
10 corrections and rehabilitation as the case may be, to institute  
11 proceedings for prosecution for an offense or an action to  
12 recover a penalty or forfeiture shall be vested in the director  
13 of law enforcement, director of corrections and rehabilitation,  
14 or the respective director's designee as may be appropriate.

15       SECTION 47. The right of appeal from administrative  
16 actions or determinations as provided by law shall not be  
17 impaired by this Act. Except as otherwise provided by this Act,  
18 whenever a right of appeal from administrative actions or  
19 determinations is provided by law to or from any officer, board,  
20 department, bureau, commission, administrative agency, or  
21 instrumentality of the State that, or any of the programs of



1 which, is transferred by this Act to the department of law  
2 enforcement or department of corrections and rehabilitation, as  
3 the case may be, the right of appeal shall lie to or from the  
4 department of law enforcement or department of corrections and  
5 rehabilitation, as the case may be, when the transfer is made.  
6 The right of appeal shall exist to the same extent and in  
7 accordance with the applicable procedures that are in effect  
8 immediately before the effective date of the applicable part.

9 If the provisions of the preceding paragraph relating to  
10 appeals cannot be effected by reason of abolishment, splitting,  
11 or shifting of functions or otherwise, the right of appeal shall  
12 lie to the circuit court of the State pursuant to the Hawaii  
13 rules of civil procedure.

14 SECTION 48. It is the intent of this Act not to jeopardize  
15 the receipt of any federal aid nor to impair the obligation of  
16 the State or any agency thereof to the holders of any bond  
17 issued by the State or by any such agency, and to the extent,  
18 and only to the extent, necessary to effectuate this intent, the  
19 governor is authorized and empowered to modify the strict  
20 provisions of this Act, but shall promptly report any such



1 modifications with his reasons therefor to the legislature at  
2 its next session thereafter for review by the legislature.

3 SECTION 49. The revisor of statutes may incorporate into  
4 the Hawaii Revised Statutes, any of the provisions contained in  
5 this Act. The revisor of statutes shall substitute the  
6 appropriate department of corrections and rehabilitation or  
7 department of law enforcement reference in all existing statutes  
8 where a department, board, commission, agency, program, or  
9 organizational segment is transferred to the department of  
10 corrections and rehabilitation or department of law enforcement  
11 if such existing statutory language has not been amended by this  
12 Act.

13 SECTION 50. All laws and parts of laws heretofore enacted  
14 that are in conflict with the provisions of this Act are hereby  
15 amended to conform herewith. All Acts passed during this  
16 regular session of 2022, whether enacted before or after the  
17 passage of this Act, shall be amended to conform to this Act,  
18 unless such Acts specifically provide that the Act relating to a  
19 "department of public safety" are being amended. Amendments  
20 made to sections of the Hawaii Revised Statutes that are amended  
21 by this Act as of a future effective date shall include



1 amendments made after the approval of this Act and before the  
2 effective date of the amendments made by this Act, to the extent  
3 that the intervening amendments may be harmonized with the  
4 amendments made by this Act.

5 SECTION 51. Notwithstanding section 26-52, Hawaii Revised  
6 Statutes, the salary of the director of law enforcement shall be  
7 the same as the salary of the director of public safety until  
8 such time as the salary commission meets and sets the salary of  
9 the director of law enforcement.

10 PART VII

11 SECTION 52. There is appropriated out of the general  
12 revenues of the State of Hawaii the sum of \$ or so  
13 much thereof as may be necessary for fiscal year 2022-2023 for  
14 the purposes of this Act, including the establishment, hiring,  
15 and filling of positions within the department of law  
16 enforcement as follows:

17 (1) \$ for one full-time equivalent (1.0 FTE)  
18 permanent director position;

19 (2) \$ for two full-time equivalent (2.0 FTE)  
20 permanent deputy director positions;



- 1           (3) \$                   for three full-time equivalent (3.0 FTE)  
2           permanent private secretary positions;
- 3           (4) \$                   for one full-time equivalent (1.0 FTE)  
4           permanent special assistant position;
- 5           (5) \$                   for one full-time equivalent (1.0 FTE)  
6           permanent administrative services officer position;
- 7           (6) \$                   for one full-time equivalent (1.0 FTE)  
8           permanent human resources officer position;
- 9           (7) \$                   for one full-time equivalent (1.0 FTE)  
10          permanent planner position;
- 11          (8) \$                   for eight full-time equivalent (8.0 FTE)  
12          permanent administrative services and accounting  
13          positions;
- 14          (9) \$                   for nine full-time equivalent (9.0 FTE)  
15          permanent information services and technology  
16          positions;
- 17          (10) \$                  for four full-time equivalent (4.0 FTE)  
18          permanent internal support services positions;
- 19          (11) \$                  for eight full-time equivalent (8.0 FTE)  
20          permanent human resources positions;





1           (12) \$                   for two full-time equivalent (2.0 FTE)  
2                   permanent capital improvement project coordinator  
3                   positions;  
4           (13) \$                   for four full-time equivalent (4.0 FTE)  
5                   permanent litigation coordination positions;  
6           (14) \$                   for nine full-time equivalent (9.0 FTE)  
7                   permanent training and staffing development positions;  
8           (15) \$                   for six full-time equivalent (6.0 FTE)  
9                   permanent supervisory deputy sheriff positions;  
10          (16) \$                   for five full-time equivalent (5.0 FTE)  
11                   permanent office of homeland security investigator  
12                   positions;  
13          (17) \$                   for four full-time equivalent (4.0 FTE)  
14                   permanent civil rights compliance positions;  
15          (18) \$                   for one full-time equivalent (1.0 FTE)  
16                   permanent public information officer position; and  
17          (19) \$                   for other operation costs.

18          The sum appropriated shall be expended by the department of  
19 law enforcement for the purposes of this section.

20          SECTION 53. There is appropriated out of the general  
21 revenues of the State of Hawaii the sum of \$280,782 or so much



1 thereof as may be necessary for fiscal year 2022-2023 for the  
2 purposes of this Act, including the establishment, hiring, and  
3 filling of positions within the department of corrections and  
4 rehabilitation as follows:

5 (1) \$40,872 for one full-time equivalent (1.0 FTE)

6 permanent investigator VI position;

7 (2) \$113,382 for three full-time equivalent (3.0 FTE)

8 permanent investigator V positions;

9 (3) \$22,362 for one full-time equivalent (1.0 FTE)

10 permanent secretary I position; and

11 (4) \$104,166 for three full-time equivalent (3.0 FTE)

12 permanent adult correctional officer 08 (CO-08)

13 sergeant positions.

14 The sum appropriated shall be expended by the department of  
15 corrections and rehabilitation for the purposes of this section.

16 SECTION 54. In codifying the new sections added by section  
17 18 and referenced in section 25 of this Act, the revisor of  
18 statutes shall substitute appropriate section numbers for the  
19 letters used in designating the new sections in this Act.

20 SECTION 55. Statutory material to be repealed is bracketed  
21 and stricken. New statutory material is underscored.



1 SECTION 56. This Act shall take effect on July 1, 3000;

2 provided that:

3 (1) Parts III and IV shall take effect on January 1, 2023;

4 (2) Part V shall take effect on July 1, 2023;

5 (3) Part VII shall take effect on July 1, 2022; and

6 (4) The amendments made to section 26-52, Hawaii Revised

7 Statutes, by sections 4 and 22 of this Act shall not

8 be repealed when that section is reenacted on June 30,

9 2024, pursuant to section 4 of Act 90, Session Laws of

10 Hawaii 2014.



**Report Title:**

Law Enforcement; Corrections and Rehabilitation; Training Center; DPS; DOT; AG; Office of Homeland Security; Appropriation

**Description:**

Establishes a department of law enforcement to consolidate and administer criminal law enforcement and investigations functions of the State effective upon approval and reestablishes the department of public safety as an independent department of corrections and rehabilitation to administer the corrections, rehabilitation, and reentry of the inmate population effective 1/1/2023. Transfers the law enforcement functions of the department of public safety to the department of law enforcement effective 1/1/2023, and the law enforcement functions of the department of transportation, the non-statutorily mandated functions of the investigations division of the department of the attorney general, and the office of homeland security to the department of law enforcement effective 7/1/2023. Establishes a training center. Appropriates funds. Effective 7/1/3000.  
(HD1)

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

