
A BILL FOR AN ACT

RELATING TO PUBLIC SAFETY.

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

1 PART I

2 SECTION 1. The Legislature finds that currently,
3 corrections and certain law enforcement functions and activities
4 are placed within the department of public safety. The
5 legislature further finds that the goals and functions of
6 corrections and law enforcement are different and distinct and
7 separating the functions of corrections and law enforcement from
8 the department of public safety into two departments would best
9 accomplish the discrete goals and objectives of both functions.

10 The legislature further finds that state law enforcement
11 personnel and functions are currently spread across various
12 departments. The department of public safety, department of
13 transportation, and the department of the attorney general all
14 have independent law enforcement officers and different law
15 enforcement duties. Because each department administers its own
16 law enforcement duties, goals, and functions, training and
17 operational standards differ between each department.



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

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

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



1 (4) Reducing gun violence and other violent criminal acts
2 in island communities through participating 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 all state and county
6 law enforcement entities the highest level of core and
7 continuing education and training. The training center will
8 also be made available to federal and county law enforcement
9 agencies. The development of a state law enforcement training
10 center, where all non-federal law enforcement officers who
11 intend to work on any island of Hawaii must be certified, will
12 ensure that all law enforcement officers meet the standards set
13 by the law enforcement standards board established in chapter
14 139, Hawaii Revised Statutes. The center will also ensure that
15 the individuals who earn its certification have received the
16 highest level of core and continuing education and training.
17 The center's curriculum will be designed to ensure that the
18 individuals trained there have the knowledge and skills to
19 protect and serve the public and will be held accountable if
20 they do not uphold the standards set by the law enforcement
21 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 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 shall continue to retain the
12 title of deputy sheriffs. During the Kingdom of Hawaii,
13 sheriffs oversaw law enforcement activities on each island under
14 the 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 of the State. County police
4 departments will continue to have full law enforcement authority
5 and responsibility and in particular, will continue to have
6 concurrent jurisdiction with respect to state parks, state
7 buildings, state highways, Hawaiian home lands, and other state
8 lands and facilities.

9 The purpose of this Act is to:

- 10 (1) Establish a new department of law enforcement to
11 consolidate and administer the criminal law
12 enforcement and investigations functions of the
13 department of transportation, certain investigations
14 functions of the department of the attorney general,
15 functions of the office of homeland security, and
16 current law enforcement and investigations functions
17 of the department of public safety; and
- 18 (2) Rename the department of public safety as the
19 department of corrections and rehabilitation, which
20 will administer the corrections, rehabilitation,



1 reentry, and related functions currently assigned to
2 the department of public safety.

3 PART II

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

7 "§26-A Department of law enforcement. (a) The department
8 of law enforcement shall be headed by a single executive to be
9 known as the director of law enforcement.

10 (b) The director of law enforcement shall appoint, without
11 regard to chapter 76, two deputy directors to serve at the
12 director's pleasure. Unless otherwise assigned by the director,
13 one deputy director shall oversee the law enforcement programs
14 of the department of law enforcement and one deputy director
15 shall oversee administration of the department of law
16 enforcement.

17 (c) The department of law enforcement shall be responsible
18 for the formulation and implementation of state policies and
19 objectives for security, law enforcement, and public safety
20 programs and functions, for the service of process, and for the
21 security of state buildings."



SECTION 3. 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)

(7) University of Hawaii (Section 26-11)

(8) Department of education (Section 26-12)

(9) Department of health (Section 26-13)

(10) Department of human services (Section 26-14)



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

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

16 **"§26-52 Department heads and executive officers.** The
17 salaries of the following state officers shall be as follows:

- 18 (1) The salary of the superintendent of education shall be
19 set by the board of education at a rate no greater
20 than \$250,000 a year. The superintendent shall be
21 subject to an annual performance evaluation that is in



1 alignment with other employee evaluations within the
2 department of education and are based on outcomes
3 determined by the board of education; provided that
4 nothing shall prohibit the board of education from
5 conditioning a portion of the salary on performance;

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

8 (3) Effective July 1, 2004, the salaries of all department
9 heads or executive officers of the departments of
10 accounting and general services, agriculture, attorney
11 general, budget and finance, business, economic
12 development, and tourism, commerce and consumer
13 affairs, corrections and rehabilitation, Hawaiian home
14 lands, health, human resources development, human
15 services, labor and industrial relations, land and
16 natural resources, [~~public safety,~~] law enforcement,
17 taxation, and transportation shall be as last
18 recommended by the executive salary commission.

19 Effective July 1, 2007, and every six years
20 thereafter, the salaries shall be as last recommended



1 by the commission on salaries pursuant to section
2 26-56, unless rejected by the legislature; and

3 (4) The salary of the adjutant general shall be \$85,302 a
4 year. Effective July 1, 2007, and every six years
5 thereafter, the salary of the adjutant general shall
6 be as last recommended by the commission on salaries
7 pursuant to section 26-56, unless rejected by the
8 legislature, except that if the state salary is in
9 conflict with the pay and allowance fixed by the
10 tables of the regular Army or Air Force of the United
11 States, the latter shall prevail."

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

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

18 (1) Commissioned and enlisted personnel of the Hawaii
19 National Guard as such, and positions in the Hawaii
20 National Guard that are required by state or federal
21 laws or regulations or orders of the National Guard to



1 be filled from those commissioned or enlisted
2 personnel;

3 (2) Positions filled by persons employed by contract where
4 the director of human resources development has
5 certified that the service is special or unique or is
6 essential to the public interest and that, because of
7 circumstances surrounding its fulfillment, personnel
8 to perform the service cannot be obtained through
9 normal civil service recruitment procedures. Any such
10 contract may be for any period not exceeding one year;

11 (3) Positions that must be filled without delay to comply
12 with a court order or decree if the director
13 determines that recruitment through normal recruitment
14 civil service procedures would result in delay or
15 noncompliance, such as the Felix-Cayetano consent
16 decree;

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

19 (5) Employees in the office of the governor and office of
20 the lieutenant governor, and household employees at
21 Washington Place;



- 1 (6) Positions filled by popular vote;
- 2 (7) Department heads, officers, and members of any board,
3 commission, or other state agency whose appointments
4 are made by the governor or are required by law to be
5 confirmed by the senate;
- 6 (8) Judges, referees, receivers, masters, jurors, notaries
7 public, land court examiners, court commissioners, and
8 attorneys appointed by a state court for a special
9 temporary service;
- 10 (9) One bailiff for the chief justice of the supreme court
11 who shall have the powers and duties of a court
12 officer and bailiff under section 606-14; one
13 secretary or clerk for each justice of the supreme
14 court, each judge of the intermediate appellate court,
15 and each judge of the circuit court; one secretary for
16 the judicial council; one deputy administrative
17 director of the courts; three law clerks for the chief
18 justice of the supreme court, two law clerks for each
19 associate justice of the supreme court and each judge
20 of the intermediate appellate court, one law clerk for
21 each judge of the circuit court, two additional law



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

17 (10) First deputy and deputy attorneys general, the
18 administrative services manager of the department of
19 the attorney general, one secretary for the
20 administrative services manager, an administrator and
21 any support staff for the criminal and juvenile



1 justice resources coordination functions, and law
2 clerks;

3 (11) (A) Teachers, principals, vice-principals, complex
4 area superintendents, deputy and assistant
5 superintendents, other certificated personnel,
6 not more than twenty noncertificated
7 administrative, professional, and technical
8 personnel not engaged in instructional work;

9 (B) Effective July 1, 2003, teaching assistants,
10 educational assistants, bilingual/bicultural
11 school-home assistants, school psychologists,
12 psychological examiners, speech pathologists,
13 athletic health care trainers, alternative school
14 work study assistants, alternative school
15 educational/supportive services specialists,
16 alternative school project coordinators, and
17 communications aides in the department of
18 education;

19 (C) The special assistant to the state librarian and
20 one secretary for the special assistant to the
21 state librarian; and



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

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

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

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

(C) Positions that provide work experience training or temporary public service employment that are filled by persons entering the workforce or persons transitioning into other careers under programs such as the federal Workforce Investment Act of 1998, as amended, or the Senior Community Service Employment Program of the Employment and



1 Training Administration of the United States
2 Department of Labor, or under other similar state
3 programs;

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

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

13 (16) Positions of first deputies or first assistants of
14 each department head appointed under or in the manner
15 provided in section 6, article V, of the Hawaii State
16 Constitution; three additional deputies or assistants
17 either in charge of the highways, harbors, and
18 airports divisions or other functions within the
19 department of transportation as may be assigned by the
20 director of transportation, with the approval of the
21 governor; four additional deputies in the department



1 of health, each in charge of one of the following:
2 behavioral health, environmental health, hospitals,
3 and health resources administration, including other
4 functions within the department as may be assigned by
5 the director of health, with the approval of the
6 governor; two additional deputies in charge of the law
7 enforcement programs, administration, or other
8 functions within the department of law enforcement as
9 may be assigned by the director of law enforcement,
10 with the approval of the governor; three additional
11 deputies each in charge of the correctional
12 institutions, rehabilitation services and programs,
13 and administration or other functions within the
14 department of corrections and rehabilitation as may be
15 assigned by the director of corrections and
16 rehabilitation, with the approval of the governor; an
17 administrative assistant to the state librarian; and
18 an administrative assistant to the superintendent of
19 education;

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



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

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

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

12 (19) Household employees at the official residence of the
13 president of the University of Hawaii;

14 (20) Employees in the department of education engaged in
15 the supervision of students during meal periods in the
16 distribution, collection, and counting of meal
17 tickets, and in the cleaning of classrooms after
18 school hours on a less than half-time basis;

19 (21) Employees hired under the tenant hire program of the
20 Hawaii public housing authority; provided that not
21 more than twenty-six per cent of the authority's



workforce in any housing project maintained or operated by the authority shall be hired under the tenant hire program;

(22) Positions of the federally funded expanded food and nutrition program of the University of Hawaii that require the hiring of nutrition program assistants who live in the areas they serve;

(23) Positions filled by persons with severe disabilities who are certified by the state vocational rehabilitation office that they are able to perform safely the duties of the positions;

(24) The sheriff;

(25) A gender and other fairness coordinator hired by the judiciary;

(26) Positions in the Hawaii National Guard youth and adult education programs;

(27) In the state energy office in the department of business, economic development, and tourism, all energy program managers, energy program specialists, energy program assistants, and energy analysts;



1 (28) Administrative appeals hearing officers in the
2 department of human services;

3 (29) In the Med-QUEST division of the department of human
4 services, the division administrator, finance officer,
5 health care services branch administrator, medical
6 director, and clinical standards administrator;

7 (30) In the director's office of the department of human
8 services, the enterprise officer, information security
9 and privacy compliance officer, security and privacy
10 compliance engineer, and security and privacy
11 compliance analyst;

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

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



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

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

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

8 PART III

9 SECTION 6. All rights, powers, functions, and duties of
10 the employees of the sheriff division, narcotics enforcement
11 division, internal affairs office, and the law enforcement
12 officers within the training and staff development division of
13 the department of public safety are transferred to the
14 department of law enforcement. The positions of director of
15 public safety, deputy director for administration, deputy
16 director for corrections, and deputy director for law
17 enforcement of the department of public safety shall become the
18 positions of director of corrections and rehabilitation, deputy
19 director for correctional institutions, deputy director for
20 rehabilitation services and programs, and deputy director for



1 administration, respectively, within the department of
2 corrections and rehabilitation established in part IV.

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

6 **"§353C-A Statewide law enforcement training center.** There
7 is established within the department a statewide law enforcement
8 training center. The center shall be responsible for training
9 and administering certification requirements of all state law
10 enforcement personnel who exercise police powers in any county.
11 Training shall conform to uniform statewide standards set by the
12 law enforcement standards board pursuant to chapter 139. The
13 center shall operate and maintain such facilities as are
14 necessary to conduct training and certification under this
15 section."

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

19 **""[Public safety] Law enforcement investigations staff**
20 **investigators": those employees in the investigations staff**
21 **office of the department of [public safety] law enforcement who**



1 have been conferred police powers by the director of [~~public~~
2 ~~safety~~] law enforcement in accordance with section 353C-4 and
3 are in the positions of investigator I to VII."

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

7 "Law enforcement officer" means:

8 (1) A police officer employed by a county police
9 department;

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

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

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

20 "CHAPTER 353C

21 [~~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 meet the present and future needs of persons committed to the correctional facilities.]~~ and homeland security. In the administration of these programs, the director may:

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



1 (2) Train, equip, maintain, and supervise the force of
2 [~~public safety officers, including~~] law enforcement
3 [~~and correctional personnel,~~] officers and other
4 employees of the department;

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

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

7 (5) Adopt, pursuant to chapter 91, rules that are
8 necessary or desirable for the administration of

9 [~~public safety~~] state law enforcement programs; and

10 (6) Enter into contracts in behalf of the department and
11 take all actions deemed necessary and appropriate for
12 the proper and efficient administration of the
13 department.

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

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



1 "[~~§~~353C-3~~§~~] **Deputy directors; appointment.** The
2 director shall appoint, without regard to chapter 76, [~~three~~
3 two deputy directors to serve at the director's pleasure.
4 Unless otherwise assigned by the director, one deputy director
5 shall oversee the [~~correctional programs and facilities of the~~
6 ~~department, one deputy director shall oversee the~~] law
7 enforcement programs of the department, and one deputy director
8 shall oversee administration of the department."

9 SECTION 13. Section 353C-4, Hawaii Revised Statutes, is
10 amended to read as follows:

11 "**§353C-4 Appointment of employees with police powers and**
12 **other employees.** (a) The director may appoint employees to be
13 [~~public safety~~] state law enforcement officers who shall have
14 all of the powers of police officers; provided that the director
15 may establish and assign the employees to positions or
16 categories of positions that may have differing titles, specific
17 duties, and limitations upon the exercise of police powers.

18 (b) The director may appoint other personnel necessary to
19 carry out the functions of the department.

20 (c) The duties of state law enforcement officers
21 [~~transferred from the department of the attorney general by Act~~



1 ~~211, Session Laws of Hawaii 1989,~~] shall ~~[be responsible for]~~
2 include conducting law enforcement operations and investigations
3 throughout the State and maintaining public safety in state
4 buildings as well as the personal protection of government
5 officials and employees while in the conduct of their duties.
6 The duties of state law enforcement officers shall also include
7 the service of process, including subpoenas, warrants, and other
8 legal documents, and other duties as the director may assign~~[,~~
9 ~~including the performance of duties of other public safety~~
10 ~~officers within the department]~~. State law enforcement officers
11 shall have all of the powers of police officers, including the
12 power of arrest. This section does not relieve county police
13 officers of any authority or responsibility to enforce laws or
14 to maintain public safety on state lands and in state
15 buildings."

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

19 "(a) The department shall develop standards to ensure the
20 reputable and responsible characters of staff members ~~[of its~~



1 ~~correctional facilities]~~, which shall include criminal history
2 record checks.

3 (b) For purposes of this section:

4 "Prospective staff member" means any applicant for a job in
5 the department ~~[of public safety that is directly involved with~~
6 ~~the treatment and care of persons committed to a facility or~~
7 ~~that requires]~~ that involves the exercise of police powers~~[7]~~
8 conferred by the director, including the power to arrest in the
9 performance of its duties.

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

15 (c) The department shall obtain criminal history record
16 information through the Hawaii criminal justice data center in
17 accordance with section 846-2.7, on all staff and prospective
18 staff members of the department of ~~[public safety.]~~ law
19 enforcement. Prospective staff members shall be fingerprinted
20 and the criminal history record check shall be completed prior
21 to beginning employment."



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

"~~[§]§353C-6[§]~~ **Parking fees, exemption.** Notwithstanding any other law, rule, or provision to the contrary, ~~[special service deputies]~~ law enforcement officers of the department ~~[of public safety]~~ are exempt from all state and county parking meter fees and county time parking restrictions while in the performance of their official duties, including attendance at court; provided that this exemption shall:

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

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

SECTION 16. Chapter 329, and sections 78-52, 134-81, 200-27, 334D-5, 350-1.1, 353C-1, 603-29, 604-6.2, 607-4, 607-8, 633-8, 634-11, 634-12, 634-22, 634-29, 651-1, 652-1.5, 652-2, 652-2.5, 652-2.6, 654-2, 666-11, 666-21, and 844D-38, Hawaii Revised Statutes, are amended by substituting the word "law enforcement", or similar term, wherever the word "public



1 safety", or similar term, appears, by substituting the word
2 "department of law enforcement", or similar term, wherever the
3 word "department of public safety", or similar term, appears,
4 and by substituting the word "director of law enforcement", or
5 similar term, wherever the word "director of public safety", or
6 similar term, appears, as the context requires.

7 PART IV

8 SECTION 17. Chapter 353, Hawaii Revised Statutes, is
9 amended by adding seven new sections to part I to be
10 appropriately designated and to read as follows:

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

18 (1) Train, equip, maintain, and supervise correctional
19 personnel and other employees of the department;

20 (2) Perform other duties as may be required by law;



1 (3) Adopt, pursuant to chapter 91, rules that are
2 necessary or desirable for the administration of
3 corrections; and

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

9 **§353-B Deputy directors; appointment.** The director shall
10 appoint, without regard to chapter 76, three deputy directors to
11 serve at the director's pleasure. Unless otherwise assigned by
12 the director, one deputy director shall oversee the correctional
13 institutions of the department including prisons and jails
14 within the state and any contracts for the custody and care of
15 Hawaii inmates housed outside of the state, one deputy director
16 shall oversee the rehabilitation services and programs of the
17 department, and one deputy director shall oversee administration
18 of the department.

19 **§353-C Correctional health care program.** There is
20 established a correctional health care program within the
21 department. The administrator of the correctional health care



1 program and physicians who provide care to inmates shall be
2 appointed by the director without regard to chapter 76.

3 **§353-D Criminal history record checks.** (a) The
4 department shall develop standards to ensure the reputable and
5 responsible characters of staff members of its correctional
6 facilities, which shall include criminal history record checks.

7 (b) For purposes of this section:

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

11 "Staff member" means any employee of the department who is
12 directly involved with the treatment and care of persons
13 committed to a facility.

14 (c) The department shall obtain criminal history record
15 information through the Hawaii criminal justice data center in
16 accordance with section 846-2.7, on all staff and prospective
17 staff members of the department. Prospective staff members
18 shall be fingerprinted and the criminal history record check
19 shall be completed prior to beginning employment.

20 (d) The department may deny employment to a prospective
21 staff member who was convicted of a crime other than a minor



1 traffic violation involving a fine of \$50 or less and if the
2 department finds from the prospective staff member's criminal
3 history record that the prospective staff member poses a risk to
4 the health, safety, security, or well-being of inmates under
5 supervision and confinement, other staff, or the public at
6 large.

7 (e) Staff members shall not be subject to termination
8 based on findings in their criminal records except for those
9 whose conviction of a crime occurred after May 8, 1989, or under
10 circumstances in which a staff member is a fugitive from
11 justice. Staff members shall be subject to termination for
12 crimes other than a minor traffic violation involving a fine of
13 \$50 or less, where because of the staff member's conviction
14 record, the staff member poses a risk to the health, safety,
15 security, or well-being of inmates under supervision and
16 confinement, other staff, or the public at large.

17 **§353-E Federal reimbursement maximization special fund.**

18 (a) There is established in the state treasury the federal
19 reimbursement maximization special fund, into which shall be
20 deposited all federal reimbursements received by the department
21 relating to the State Criminal Alien Assistance Program. Unless



1 otherwise provided by law, all other receipts shall immediately
2 be deposited to the credit of the general fund of the State.

3 (b) Moneys in the federal reimbursement maximization
4 special fund shall be used by the department for the following
5 purposes:

6 (1) To meet the state match requirement for federal grants
7 and costs associated with federal grant reporting
8 requirements, including administrative expenses such
9 as the hiring of temporary staff;

10 (2) For any other purpose deemed necessary by the
11 department for maintaining existing federal grants as
12 well as pursuing federal grants;

13 (3) To hire consultants to provide training for
14 corrections officers;

15 (4) To hire consultants to conduct facility or program
16 evaluations;

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

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

19 (7) To improve technology; and

20 (8) To recruit and retain corrections workforce.



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

7 **§353-F Sexual assaults in prison.** (a) The department, to
8 the best of the department's ability, shall address sexual
9 assault in prison and make every effort to seek grant moneys
10 from the federal government to implement those efforts. The
11 department shall place priority upon establishing:

- 12 (1) Appropriate counseling services for sexual assault, to
13 be made available to victims of prison rape within
14 twenty-four hours of the report of an assault; and
15 (2) Policies and standards of transparency to achieve a
16 zero-tolerance policy for sexual assault.

17 (b) The department, no later than twenty days prior to the
18 convening of each regular session, shall annually report data to
19 the legislature regarding:

- 20 (1) Sexual assault by persons in custody against other
21 persons in custody of the department;



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

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

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

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

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

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



correctional center where Hawaii inmates reside that
causes the death of the employee; and

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

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

(1) Correctional facility or community correctional center
employee who dies on the grounds of a correctional
facility or community correctional center where Hawaii
inmates reside or who sustains an injury on the
grounds of a correctional facility or community
correctional center where Hawaii inmates reside that
causes the death of the employee; or

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

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

(1) The gender and age of the decedent;

(2) Whether the decedent was an inmate or an employee;



1 (3) The location of the death or injury leading to the
2 death;

3 (4) The date and time of the death;

4 (5) The cause of death; and

5 (6) Any indication of sexual assault leading to the death;
6 provided that when the official cause of death has been
7 determined, the director shall immediately report the official
8 cause of death to the governor, and the governor shall
9 immediately report the official cause of death to the
10 legislature.

11 (c) Within thirty days of a death described in subsection
12 (a), the director shall submit a report to the governor, and the
13 governor shall submit the report to the legislature, of the
14 clinical mortality review conducted in response to the death,
15 including correctional actions to be taken.

16 (d) The director may disclose the decedent's name or other
17 information not specified in subsection (b); provided that the
18 director shall not disclose information protected from
19 disclosure by state or federal law."

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



1 "§26-14.6 Department of [~~public safety.~~] corrections and
2 rehabilitation. (a) The department of [~~public safety~~]
3 corrections and rehabilitation shall be headed by a single
4 executive to be known as the director of [~~public safety.~~]
5 corrections and rehabilitation.

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

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

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



- 1 (1) The department of corrections relating to adult
2 corrections and the intake service centers;
- 3 (2) The judiciary relating to the sheriff's office and
4 judiciary security personnel; and
- 5 (3) The department of the attorney general relating to
6 state law enforcement officers and narcotics
7 enforcement investigators with the narcotics
8 enforcement division,

9 shall be transferred to the department of public safety.

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

15 (e) Effective July 1, 1990, the functions and authority
16 heretofore exercised by the department of health pursuant to
17 chapters 329 and 329C, with the exception of sections 329-2,
18 329-3, and 329-4(3) to (8), shall be transferred to the
19 department of public safety~~[=]~~, and effective July 1, 2023,
20 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, 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



1 safety[-], and effective July 1, 2023, shall be transferred to
2 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
16 safety[-], and effective July 1, 2023, shall be transferred to
17 the department of law enforcement. Effective July 1, 2005, the
18 functions, authority, and employee positions of the department
19 of public safety relating to uniformed security employees and
20 security contracts at health facilities that are under the
21 operation, management, and control of the Hawaii health systems



1 corporation shall be transferred to the Hawaii health systems
2 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, shall be transferred to
8 the department of law enforcement.

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

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



1 the libraries, shall be transferred to the department of
2 education and the public library system as appropriate."

3 SECTION 19. Section 846-2.7, Hawaii Revised Statutes, is
4 amended by amending subsection (b) to read as follows:

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

6 (1) The department of health or its designee on operators
7 of adult foster homes for individuals with
8 developmental disabilities or developmental
9 disabilities domiciliary homes and their employees, as
10 provided by section 321-15.2;

11 (2) The department of health or its designee on
12 prospective employees, persons seeking to serve as
13 providers, or subcontractors in positions that place
14 them in direct contact with clients when providing
15 non-witnessed direct mental health or health care
16 services as provided by section 321-171.5;

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



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

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

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

11 (7) The county liquor commissions on employees and
12 prospective employees involved in liquor
13 administration, law enforcement, and liquor control
14 investigations;

15 (8) The department of human services on operators and
16 employees of child caring institutions, child placing
17 organizations, and foster boarding homes as provided
18 by section 346-17;

19 (9) The department of human services on prospective
20 adoptive parents as established under section 346-19.7;



1 (10) The department of human services or its designee on
2 applicants to operate child care facilities, household
3 members of the applicant, prospective employees of the
4 applicant, and new employees and household members of
5 the provider after registration or licensure as
6 provided by section 346-154, and persons subject to
7 section 346-152.5;

8 (11) The department of human services on persons exempt
9 pursuant to section 346-152 to be eligible to provide
10 child care and receive child care subsidies as
11 provided by section 346-152.5;

12 (12) The department of health on operators and employees of
13 home and community-based case management agencies and
14 operators and other adults, except for adults in care,
15 residing in community care foster family homes as
16 provided by section 321-15.2;

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

20 (14) The department of human services on employees,
21 prospective employees, and volunteers of contracted



1 providers and subcontractors in positions that place
2 them in close proximity to youth when providing
3 services on behalf of the office or the Hawaii youth
4 correctional facility as provided by section 352D-4.3;

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

7 (16) The department of [~~public safety~~] corrections and
8 rehabilitation on employees and prospective employees
9 who are directly involved with the treatment and care
10 of persons committed to a correctional facility [~~or~~
11 ~~who possess~~] as provided by section 353-D and the
12 department of law enforcement on employees and
13 prospective employees whose duties involve or may
14 involve the exercise of police powers including the
15 power of arrest as provided by section 353C-5;

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

19 (18) Private schools and designated organizations on
20 employees and prospective employees who may be in
21 positions that necessitate close proximity to



1 children; provided that private schools and designated
2 organizations receive only indications of the states
3 from which the national criminal history record
4 information was provided pursuant to section 302C-1;

5 (19) The public library system on employees and prospective
6 employees whose positions place them in close
7 proximity to children as provided by section
8 302A-601.5;

9 (20) The State or any of its branches, political
10 subdivisions, or agencies on applicants and employees
11 holding a position that has the same type of contact
12 with children, vulnerable adults, or persons committed
13 to a correctional facility as other public employees
14 who hold positions that are authorized by law to
15 require criminal history record checks as a condition
16 of employment as provided by section 78-2.7;

17 (21) The department of health on licensed adult day care
18 center operators, employees, new employees,
19 subcontracted service providers and their employees,
20 and adult volunteers as provided by section 321-15.2;



1 (22) The department of human services on purchase of
2 service contracted and subcontracted service providers
3 and their employees serving clients of the adult
4 protective and community services branch, as provided
5 by section 346-97;

6 (23) The department of human services on foster grandparent
7 program, senior companion program, and respite
8 companion program participants as provided by section
9 346-97;

10 (24) The department of human services on contracted and
11 subcontracted service providers and their current and
12 prospective employees that provide home and community-
13 based services under section 1915(c) of the Social
14 Security Act, title 42 United States Code section
15 1396n(c), or under any other applicable section or
16 sections of the Social Security Act for the purposes
17 of providing home and community-based services, as
18 provided by section 346-97;

19 (25) The department of commerce and consumer affairs on
20 proposed directors and executive officers of a bank,
21 savings bank, savings and loan association, trust



1 company, and depository financial services loan

2 company as provided by section 412:3-201;

3 (26) The department of commerce and consumer affairs on

4 proposed directors and executive officers of a

5 nondepository financial services loan company as

6 provided by section 412:3-301;

7 (27) The department of commerce and consumer affairs on the

8 original chartering applicants and proposed executive

9 officers of a credit union as provided by section

10 412:10-103;

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

12 (A) Each principal of every non-corporate applicant

13 for a money transmitter license;

14 (B) Each person who upon approval of an application

15 by a corporate applicant for a money transmitter

16 license will be a principal of the licensee; and

17 (C) Each person who upon approval of an application

18 requesting approval of a proposed change in

19 control of licensee will be a principal of the

20 licensee,

21 as provided by sections 489D-9 and 489D-15;



1 (29) The department of commerce and consumer affairs on
2 applicants for licensure and persons licensed under
3 title 24;

4 (30) The Hawaii health systems corporation on:

5 (A) Employees;

6 (B) Applicants seeking employment;

7 (C) Current or prospective members of the corporation
8 board or regional system board; or

9 (D) Current or prospective volunteers, providers, or
10 contractors,

11 in any of the corporation's health facilities as
12 provided by section 323F-5.5;

13 (31) The department of commerce and consumer affairs on:

14 (A) An applicant for a mortgage loan originator
15 license, or license renewal; and

16 (B) Each control person, executive officer, director,
17 general partner, and managing member of an
18 applicant for a mortgage loan originator company
19 license or license renewal,

20 as provided by chapter 454F;



1 (32) The state public charter school commission or public
2 charter schools on employees, teacher trainees,
3 prospective employees, and prospective teacher
4 trainees in any public charter school for any position
5 that places them in close proximity to children, as
6 provided in section 302D-33;

7 (33) The counties on prospective employees who work with
8 children, vulnerable adults, or senior citizens in
9 community-based programs;

10 (34) The counties on prospective employees for fire
11 department positions that involve contact with
12 children or vulnerable adults;

13 (35) The counties on prospective employees for emergency
14 medical services positions that involve contact with
15 children or vulnerable adults;

16 (36) The counties on prospective employees for emergency
17 management positions and community volunteers whose
18 responsibilities involve planning and executing
19 homeland security measures including viewing,
20 handling, and engaging in law enforcement or



1 classified meetings and assisting vulnerable citizens
2 during emergencies or crises;

3 (37) The State and counties on employees, prospective
4 employees, volunteers, and contractors whose position
5 responsibilities require unescorted access to secured
6 areas and equipment related to a traffic management
7 center;

8 (38) The State and counties on employees and prospective
9 employees whose positions involve the handling or use
10 of firearms for other than law enforcement purposes;

11 (39) The State and counties on current and prospective
12 systems analysts and others involved in an agency's
13 information technology operation whose position
14 responsibilities provide them with access to
15 proprietary, confidential, or sensitive information;

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

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

19 (B) Each person who owns more than ten per cent of an
20 appraisal management company who is applying for



1 registration as an appraisal management company,

2 as provided by section 466L-7; and

3 (C) Each of the controlling persons of an applicant

4 for registration as an appraisal management

5 company, as provided by section 466L-7;

6 (41) The department of health or its designee on all

7 license applicants, licensees, employees, contractors,

8 and prospective employees of medical cannabis

9 dispensaries, and individuals permitted to enter and

10 remain in medical cannabis dispensary facilities as

11 provided under sections 329D-15(a)(4) and

12 329D-16(a)(3);

13 (42) The department of commerce and consumer affairs on

14 applicants for nurse licensure or license renewal,

15 reactivation, or restoration as provided by sections

16 457-7, 457-8, 457-8.5, and 457-9;

17 (43) The county police departments on applicants for

18 permits to acquire firearms pursuant to section 134-2

19 and on individuals registering their firearms pursuant

20 to section 134-3;

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



1 (A) Each of the controlling persons of the applicant
2 for licensure as an escrow depository, and each
3 of the officers, directors, and principals who
4 will be in charge of the escrow depository's
5 activities upon licensure; and

6 (B) Each of the controlling persons of an applicant
7 for proposed change in control of an escrow
8 depository licensee, and each of the officers,
9 directors, and principals who will be in charge
10 of the licensee's activities upon approval of the
11 application,

12 as provided by chapter 449;

13 (45) The department of taxation on current or prospective
14 employees or contractors who have access to federal
15 tax information in order to comply with requirements
16 of federal law, regulation, or procedure, as provided
17 by section 231-1.6;

18 (46) The department of labor and industrial relations on
19 current or prospective employees or contractors who
20 have access to federal tax information in order to



1 comply with requirements of federal law, regulation,
2 or procedure, as provided by section 383-110;

3 (47) The department of human services on current or
4 prospective employees or contractors who have access
5 to federal tax information in order to comply with
6 requirements of federal law, regulation, or procedure,
7 as provided by section 346-2.5;

8 (48) The child support enforcement agency on current or
9 prospective employees, or contractors who have access
10 to federal tax information in order to comply with
11 federal law, regulation, or procedure, as provided by
12 section 576D-11.5;

13 (49) The department of the attorney general on current or
14 prospective employees or employees or agents of
15 contractors who have access to federal tax information
16 to comply with requirements of federal law,
17 regulation, or procedure, as provided by section
18 28-17;

19 [+] (50) [+] The department of commerce and consumer affairs on
20 each control person, executive officer, director,
21 general partner, and managing member of an installment



1 loan licensee, or an applicant for an installment loan
2 license, as provided in chapter 480J;

3 [†] (51) [†] The University of Hawaii on current and prospective
4 employees and contractors whose duties include
5 ensuring the security of campus facilities and
6 persons; and

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

10 SECTION 20. Sections 134-2, 353-1, 353B-3, 353L-3, 353L-5,
11 354D-2, 707-732, 801D-4, 804-7, Hawaii Revised Statutes, are
12 amended by substituting the word "department of corrections and
13 rehabilitation", or similar term, wherever the word "department
14 of public safety", or similar term, appears and by substituting
15 the word "director of corrections and rehabilitation", or
16 similar term, wherever the word "director of public safety", or
17 similar term, appears, as the context requires.

18 SECTION 21. Section 353C-4.5, Hawaii Revised Statutes, is
19 repealed.

20 ~~["§353C-4.5] Correctional health care program. There is~~
21 ~~established a correctional health care program within the~~



1 ~~department. The administrator of the correctional health care~~
2 ~~program and physicians who provide care to inmates shall be~~
3 ~~appointed by the director without regard to [chapter 76]."]~~

4 SECTION 22. Section 353C-7, Hawaii Revised Statutes, is
5 repealed.

6 ~~["§353C-7 Federal reimbursement maximization special fund.~~

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

13 ~~(b) Moneys in the federal reimbursement maximization~~
14 ~~special fund shall be used by the department for the following~~
15 ~~purposes:~~

16 ~~(1) To meet the state match requirement for federal grants~~
17 ~~and costs associated with federal grant reporting~~
18 ~~requirements, including administrative expenses such~~
19 ~~as the hiring of temporary staff;~~



~~(2) For any other purpose deemed necessary by the
department for maintaining existing federal grants as
well as pursuing federal grants;~~

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

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

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

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

~~(7) To improve technology; and~~

~~(8) To recruit and retain corrections workforce.~~

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

SECTION 23. Section 353C-8, Hawaii Revised Statutes, is
repealed.

~~["§353C-8 Sexual assaults in prison. (a) The department
of public safety, to the best of the department's ability, shall~~



~~1 address sexual assault in prison and make every effort to seek~~
~~2 grant moneys from the federal government to implement those~~
~~3 efforts. The department shall place priority upon establishing:~~

- ~~4 (1) Appropriate counseling services for sexual assault, to~~
~~5 be made available to victims of prison rape within~~
~~6 twenty-four hours of the report of an assault; and~~
~~7 (2) Policies and standards of transparency to achieve a~~
~~8 zero-tolerance policy for sexual assault.~~

~~9 (b) The department of public safety, no later than twenty~~
~~10 days prior to the convening of each regular session, shall~~
~~11 annually report data to the legislature regarding:~~

- ~~12 (1) Sexual assault by persons in custody against other~~
~~13 persons in custody of the department of public safety;~~
~~14 (2) Sexual assault by correctional staff against persons~~
~~15 in custody of the department of public safety;~~
~~16 (3) Non-criminal sexual misconduct by staff, including~~
~~17 sexual harassment of persons in custody of the~~
~~18 department of public safety;~~
~~19 (4) Criminal cases initiated, and closed by dismissal,~~
~~20 plea, or verdict, for sexual assaults by or upon a~~



1 ~~person in custody of the department of public safety;~~

2 ~~and~~

3 ~~(5) Civil claims filed and closed by dismissal,~~

4 ~~settlement, or verdict for sexual assaults by or upon~~

5 ~~a person in custody of the department of public~~

6 ~~safety.~~

7 ~~(c) The department of public safety shall preserve any~~

8 ~~forensic evidence consisting of human biological specimens for~~

9 ~~collection by the relevant criminal investigation entity or~~

10 ~~coroner, if there is any indication of sexual assault leading to~~

11 ~~the death of any:~~

12 ~~(1) Correctional facility or community correctional center~~

13 ~~employee who dies on the grounds of a correctional~~

14 ~~facility or community correctional center where Hawaii~~

15 ~~inmates reside or who sustains an injury on the~~

16 ~~grounds of a correctional facility or community~~

17 ~~correctional center where Hawaii inmates reside that~~

18 ~~causes the death of the employee; and~~

19 ~~(2) Hawaii inmate who is incarcerated in a state or~~

20 ~~contracted correctional facility."]~~



SECTION 24. Section 353C-8.5, Hawaii Revised Statutes, is repealed.

~~["§ 353C-8.5] Correctional facility and community
correctional center deaths; reporting. (a) Within forty-eight
hours, the director shall report to the governor, and the
governor shall report to the legislature, the death of any:~~

~~(1) Correctional facility or community correctional center
employee who dies on the grounds of a correctional
facility or community correctional center where Hawaii
inmates reside or who sustains an injury on the
grounds of a correctional facility or community
correctional center where Hawaii inmates reside that
causes the death of the employee; or~~

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

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

~~(1) The name of the decedent;~~

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

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



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

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

~~(6) The cause of death; and~~

~~(7) Any indication of sexual assault leading to the death;~~

~~provided that when the official cause of death has been determined, the director shall immediately report the official cause of death to the governor, and the governor shall immediately report the official cause of death to the legislature.~~

~~(c) Within thirty days of a death described in subsection (a), the director shall submit a report to the governor, and the governor shall submit the report to the legislature, of the clinical mortality review conducted in response to the death, including correctional actions to be taken.~~

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

PART V

SECTION 25. All rights, powers, functions, and duties of the employees of the investigations division of the department



1 of the attorney general performing non-statutorily mandated
2 functions are transferred to the department of law enforcement.

3 SECTION 26. All rights, powers, functions, and duties of
4 the employees of the state office of homeland security are
5 transferred to the department of law enforcement.

6 SECTION 27. All rights, powers, functions, and duties of
7 the employees of the department of transportation performing law
8 enforcement functions and related employees are transferred to
9 the department of law enforcement.

10 SECTION 28. Section 26-21, Hawaii Revised Statutes, is
11 amended by amending subsection (a) to read as follows:

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

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

20 The devolution of command of the military forces in the
21 absence of the adjutant general shall be within the military



1 establishment. The devolution of command of the Hawaii
2 emergency management agency in the absence of the adjutant
3 general, as director of the agency, shall be within the agency."

4 SECTION 29. Section 128A-2, Hawaii Revised Statutes, is
5 amended by amending the definition of "director of homeland
6 security" or "director" to read as follows:

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

9 SECTION 30. Section 128A-3, Hawaii Revised Statutes, is
10 amended by amending subsection (a) to read as follows:

11 "(a) There shall be established within the department of
12 ~~[defense]~~ law enforcement an office of homeland security. The
13 director ~~[of homeland security]~~ shall employ appropriate
14 personnel and make expenditures as may be necessary to carry out
15 this chapter. The director shall appoint an administrator of
16 homeland security who shall be exempt from chapter 76, subject
17 to removal by the director, and receive compensation as the
18 director may determine."

19 SECTION 31. Section 128B-1, Hawaii Revised Statutes, is
20 amended by amending subsections (a) and (b) to read as follows:



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

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

12 SECTION 32. Section 139-2, Hawaii Revised Statutes, is
13 amended by amending subsection (a) to read as follows:

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



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

3 (A) Attorney general;

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

5 [~~(C) Director of transportation or the director's~~
6 ~~designee~~;

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

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

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

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

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

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



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

2 (i) Practicing in Hawaii as a deputy attorney
3 general, a deputy prosecutor, deputy public
4 defender, or private criminal defense
5 attorney; or

6 (ii) Litigating constitutional law issues in
7 Hawaii;

8 (C) Be a recognized expert in the field of criminal
9 justice, policing, or security; or

10 (D) Have work experience in a law enforcement
11 capacity; provided that experience in a county
12 police department shall not itself be sufficient
13 to qualify under this paragraph."

14 SECTION 33. Section 139-7, Hawaii Revised Statutes, is
15 amended by amending subsection (a) to read as follows:

16 "(a) No person shall be appointed or employed as a law
17 enforcement officer by any county police department, the
18 department of ~~[public safety,]~~ law enforcement, ~~[the department~~
19 ~~of transportation,]~~ the department of land and natural
20 resources, the department of taxation, or the department of the



1 attorney general, unless the person possesses a valid
2 certification issued by the board pursuant to section 139-6(b)."

3 SECTION 34. Section 266-24, Hawaii Revised Statutes, is
4 amended by amending subsection (a) to read as follows:

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



1 ordinance, or order, shall enforce and assist in the enforcement
2 of this chapter and of all rules and orders issued pursuant
3 thereto, and in carrying out the responsibilities hereunder,
4 each shall be specifically authorized to:

5 (1) Conduct any enforcement action hereunder in any
6 commercial harbor area and any area over which the
7 department of transportation and the director of
8 transportation has jurisdiction under this chapter;

9 (2) Inspect and examine at reasonable hours any premises,
10 and the buildings and other structures thereon, where
11 harbors or harbor facilities are situated, or where
12 harbor-related activities are operated or conducted;
13 and

14 ~~(3) [Subject to limitations as may be imposed by the~~
15 ~~director of transportation, serve and execute~~
16 ~~warrants, arrest offenders, and serve]~~ Serve notices
17 and orders.

18 ~~[Any employee appointed as a law enforcement officer by the~~
19 ~~director of transportation pursuant to this section who has been~~
20 ~~qualified by training may use electric guns, as specifically~~
21 ~~provided in section 134-87, when exercising powers of police~~



~~officers and carrying out the responsibilities described herein;
provided that training for the purposes of this section means a
course of instruction or training in the use of any electric gun
that is provided, authorized, or approved by the manufacturer of
the electric gun prior to deployment or issuance of electric
guns and related equipment.~~

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

SECTION 35. Section 291-31.5, Hawaii Revised Statutes, is
amended by amending subsection (a) to read as follows:

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

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



(2) Department of law enforcement vehicles with blue and red lamps, reflectors, or illumination devices authorized and approved by the director of law enforcement;

(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; or

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

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

PART VI

SECTION 36. All employees who occupy civil service positions and whose functions are transferred by this Act shall retain their civil service status (permanent or temporary). Employees shall be transferred without loss of salary, seniority



1 (except as prescribed by collective bargaining agreements),
2 retention points, prior service credit, any vacation and sick
3 leave credits previously earned, and other rights, benefits, and
4 privileges, in accordance with state personnel laws and this
5 Act, provided that the employees possess the minimum
6 qualifications and public employment requirements for the class
7 or position to which transferred or appointed, as applicable,
8 provided further that subsequent changes in status may be made
9 pursuant to applicable civil service and compensation laws.

10 Any employee who, prior to this Act, is exempt from civil
11 service and is transferred as a consequence of this Act may
12 continue to retain the employee's exempt status but shall not be
13 appointed to a civil service position because of this Act. An
14 exempt employee who is transferred by this Act shall not suffer
15 any loss of prior service credit, any vacation and sick leave
16 credits previously earned, or other employee benefits or
17 privileges as a consequence of this Act; provided that the
18 employee possesses legal and public employment requirements for
19 the position to which transferred or appointed, as applicable;
20 provided further that subsequent changes in status may be made
21 pursuant to applicable employment and compensation laws. The



1 director of the department to which the employee is transferred
2 may prescribe the duties and qualifications of such employees
3 and fix their salaries without regard to chapter 76, Hawaii
4 Revised Statutes.

5 SECTION 37. All appropriations, records, equipment,
6 machines, files, supplies, contracts, books, papers, documents,
7 maps, and other personal property heretofore made, used,
8 acquired, or held by the department of transportation,
9 department of the attorney general, department of public safety,
10 and department of defense relating to the functions transferred
11 to the department of law enforcement or department of
12 corrections and rehabilitation shall be transferred with the
13 functions to which they relate.

14 SECTION 38. All leases, contracts, loans, agreements,
15 permits, or other documents executed or entered into by or on
16 behalf of the department of transportation, department of public
17 safety, department of the attorney general, and department of
18 defense pursuant to the provisions of the Hawaii Revised
19 Statutes, that are reenacted or made applicable to the
20 department of law enforcement or department of corrections and
21 rehabilitation by this Act shall remain in full force and



1 effect. Effective January 1, 2023, every reference to the
2 department of public safety or the director of public safety in
3 those leases, contracts, loans, agreements, permits, or other
4 documents shall be construed as a reference to the department of
5 law enforcement or the director of law enforcement, or the
6 department of corrections and rehabilitation or the director of
7 corrections and rehabilitation, as appropriate. Effective
8 July 1, 2023, every reference to the department of
9 transportation or the director of transportation, the department
10 of the attorney general or the attorney general, or the
11 department of defense or the state adjutant general in those
12 leases, contracts, loans, agreements, permits, or other
13 documents shall be construed as a reference to the department of
14 law enforcement or the director of law enforcement, as
15 applicable.

16 SECTION 39. All rules, policies, procedures, guidelines,
17 and other material adopted or developed by the department of
18 transportation, department of the attorney general, department
19 of public safety, or the department of defense to implement
20 provisions of the Hawaii Revised Statutes that are reenacted or
21 made applicable to the department of law enforcement or the



1 department of corrections and rehabilitation by this Act shall
2 remain in full force and effect until amended or repealed by the
3 department of law enforcement or department of corrections and
4 rehabilitation pursuant to chapter 91, Hawaii Revised Statutes.
5 In the interim, every reference to the department of
6 transportation or director of transportation, department of the
7 attorney general or attorney general, department of defense or
8 state adjutant general, department of public safety or director
9 of public safety, in those rules, policies, procedures,
10 guidelines, and other material is amended to refer to the
11 department of law enforcement or director of law enforcement, or
12 department of corrections and rehabilitation or director of
13 corrections and rehabilitation, as appropriate.

14 SECTION 40. No offense committed and no penalty or
15 forfeiture incurred under the law shall be affected by this Act;
16 provided that whenever any punishment, penalty, or forfeiture is
17 mitigated by any provision of this Act, such provision may be
18 extended and applied to any judgment pronounced after the
19 passage of this Act. No suit or prosecution pending at the time
20 this Act takes effect shall be affected by this Act. The right
21 of any administrative officer whose function is transferred by



1 this Act to the department of law enforcement or department of
2 corrections and rehabilitation as the case may be, to institute
3 proceedings for prosecution for an offense or an action to
4 recover a penalty or forfeiture shall be vested in the director
5 of law enforcement, director of corrections and rehabilitation,
6 or the respective director's designee as may be appropriate.

7 SECTION 41. The right of appeal from administrative
8 actions or determinations as provided by law shall not be
9 impaired by this Act. Except as otherwise provided by this Act,
10 wherever a right of appeal from administrative actions or
11 determinations is provided by law to or from any officer, board,
12 department, bureau, commission, administrative agency, or
13 instrumentality of the State that, or any of the programs of
14 which, is transferred by this Act to the department of law
15 enforcement or department of corrections and rehabilitation as
16 the case may be, the right of appeal shall lie to or from the
17 department of law enforcement or department of corrections and
18 rehabilitation as the case may be when the transfer is made.
19 The right of appeal shall exist to the same extent and in
20 accordance with the applicable procedures that are in effect
21 immediately prior to the effective date of this Act.



1 If the provisions of the preceding paragraph relating to
2 appeals cannot be effected by reason of abolishment, splitting,
3 or shifting of functions or otherwise, the right of appeal shall
4 lie to the circuit court of the State pursuant to the Hawaii
5 rules of civil procedure.

6 SECTION 42. It is the intent of this Act not to jeopardize
7 the receipt of any federal aid nor to impair the obligation of
8 the State or any agency thereof to the holders of any bond
9 issued by the State or by any such agency, and to the extent,
10 and only to the extent, necessary to effectuate this intent, the
11 governor is authorized and empowered to modify the strict
12 provisions of this Act, but shall promptly report any such
13 modifications with his reasons therefor to the legislature at
14 its next session thereafter for review by the legislature.

15 SECTION 43. The revisor of statutes may incorporate into
16 the Hawaii Revised Statutes any of the provisions contained in
17 this Act. The revisor of statutes shall substitute the
18 appropriate department of corrections and rehabilitation or
19 department of law enforcement reference in all existing statutes
20 where a department, board, commission, agency, program, or
21 organizational segment is transferred to the department of



1 corrections and rehabilitation or department of law enforcement
2 if such existing statutory language has not been amended by this
3 Act.

4 SECTION 44. All laws and parts of laws heretofore enacted
5 that are in conflict with the provisions of this Act are hereby
6 amended to conform herewith. All Acts passed during this
7 regular session of 2022, whether enacted before or after the
8 passage of this Act, shall be amended to conform to this Act,
9 unless such Acts specifically provide that the Act relating to a
10 "department of public safety" are being amended. Amendments
11 made to sections of the Hawaii Revised Statutes that are amended
12 by this Act as of a future effective date shall include
13 amendments made after the approval of this Act and before the
14 effective date of the amendments made by this Act, to the extent
15 that the intervening amendments may be harmonized with the
16 amendments made by this Act.

17 PART VII

18 SECTION 45. There is appropriated out of the general
19 revenues of the State of Hawaii the sum of \$4,121,309 or so much
20 thereof as may be necessary for fiscal year 2022-2023 for the
21 purposes of this Act, including the establishment, hiring, and



1 filling of positions within the department of law enforcement as
2 follows:

3 (1) \$175,056 for one permanent full-time equivalent (FTE)
4 director position;

5 (2) \$322,056 for two permanent full-time equivalent (FTE)
6 deputy director positions;

7 (3) \$211,032 for three permanent full-time equivalent
8 (FTE) private secretary positions;

9 (4) \$118,000 for one permanent full-time equivalent (FTE)
10 special assistant position;

11 (5) \$127,848 for one permanent full-time equivalent (FTE)
12 administrative services officer position;

13 (6) \$115,950 for one permanent full-time equivalent (FTE)
14 human resources officer position;

15 (7) \$67,200 for one permanent full-time equivalent (FTE)
16 planner position;

17 (8) \$228,132 for eight permanent full-time equivalent
18 (FTE) administrative services and accounting
19 positions;

20 (9) \$285,636 for nine permanent full-time equivalent (FTE)
21 information services and technology positions;



- 1 (10) \$78,630 for four permanent full-time equivalent (FTE)
2 internal support services positions;
- 3 (11) \$238,026 for eight permanent full-time equivalent
4 (FTE) human resources positions;
- 5 (12) \$75,588 for two permanent full-time equivalent (FTE)
6 capital improvement project coordinator positions;
- 7 (13) \$156,699 for four permanent full-time equivalent (FTE)
8 litigation coordination positions;
- 9 (14) \$315,360 for nine permanent full-time equivalent (FTE)
10 training and staffing development positions;
- 11 (15) \$243,126 for six permanent full-time equivalent (FTE)
12 supervisory deputy sheriff positions;
- 13 (16) \$179,217 for five permanent full-time equivalent (FTE)
14 office of homeland security investigator positions;
- 15 (17) \$139,596 for four permanent full-time equivalent (FTE)
16 civil rights compliance positions;
- 17 (18) \$37,794 for one permanent full-time equivalent (FTE)
18 public information officer position; and
- 19 (19) \$1,006,363 for other operation costs.

20 The sum appropriated shall be expended by the department of
21 law enforcement for the purposes of this Act.



SECTION 46. There is appropriated out of the general revenues of the State of Hawaii the sum of \$280,782 or so much thereof as may be necessary for fiscal year 2022-2023 for the purposes of this Act, including the establishment, hiring, and filling of positions within the department of corrections and rehabilitation as follows:

(1) \$40,872 for one permanent full-time equivalent (FTE) investigator VI position;

(2) \$113,382 for three permanent full-time equivalent (FTE) investigator V positions;

(3) \$22,362 for one permanent full-time equivalent (FTE) secretary I position; and

(4) \$104,166 for three permanent full-time equivalent (FTE) adult correctional officer 08 (CO-08) sergeant positions.

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

SECTION 47. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 48. In codifying the new sections added by sections 2 and 17 and referenced in sections 3 and 18 of this



1 Act, the revisor of statutes shall substitute appropriate
2 section numbers for the letters used in designating the new
3 sections in this Act.

4 SECTION 49. This Act shall take effect upon July 31, 2050;
5 provided that the amendments made to section 26-52, Hawaii
6 Revised Statutes, by sections 4 and 20 of this Act shall not be
7 repealed when that section is reenacted on June 30, 2024,
8 pursuant to section 4 of Act 90, Session Laws of Hawaii 2014.



Report Title:

Relating to Public Safety; Law Enforcement; Corrections and Rehabilitation; 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. Transfers the law enforcement functions of the Department of Public Safety to the Department of Law Enforcement, 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. Appropriates funds to the Department of Law Enforcement and Department of Corrections and Rehabilitation. Effective 7/31/2050. (SD1)

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

