
A BILL FOR AN ACT

RELATING TO THE HAWAII NATIONAL GUARD.

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

1 SECTION 1. Chapter 88, Hawaii Revised Statutes, is amended
2 by adding a new section to part II to be appropriately
3 designated and to read as follows:

4 "§88- Service of Hawaii national guard members on state
5 active duty; exempt from mandatory enrollment. (a)

6 Notwithstanding section 88-42 or any other applicable sections
7 in this part, part VII, or part VIII, a member of the Hawaii
8 national guard ordered into active duty to provide services to
9 the State shall not be eligible for membership in the system
10 based on the member's active duty service.

11 (b) This section shall not:

12 (1) Preclude from membership in the system pursuant to
13 section 88-42 any member of the Hawaii national guard
14 who is an employee of the State or any county, in a
15 position other than as a member of the Hawaii national
16 guard ordered into active duty to provide services to
17 the State; or



1 (2) Prevent the Hawaii national guard member from being
2 credited with membership service credit for active
3 military service pursuant to sections 88-132 and
4 88-132.5.

5 (c) For the purposes of this section, "active duty" means
6 a duty in the active service ordered by the governor or the
7 governor's designated representative to provide services to the
8 State in a time of emergency as prescribed under sections 121-29
9 and 121-30."

10 SECTION 2. Section 121-29, Hawaii Revised Statutes, is
11 amended to read as follows:

12 "**§121-29 Active service.** Active service is active duty,
13 any other duty, or service done under or in pursuance of an
14 order or call of the President of the United States or an order
15 of the governor. Any officer or body of troops while on active
16 service may be relieved from duty by order of the proper
17 authority."

18 SECTION 3. New statutory material is underscored.

19 SECTION 4. This Act shall take effect upon its approval.



Report Title:

National Guard; Active Duty; Employees' Retirement System;
Ineligible

Description:

Makes Hawaii National Guard service members activated by the Governor or the Governor's designated representative to state active duty ineligible for enrollment in the Employees' Retirement System based solely on the active duty service.
(SD2)

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