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# A BILL FOR AN ACT

RELATING TO OCCUPATIONAL SAFETY AND HEALTH.

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

1           SECTION 1. Chapter 396, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:

4           "§396-           Workforce safety and health special fund;  
5 establishment; purposes. (a) There is established within the  
6 state treasury the workforce safety and health special fund, to  
7 be administered by the department, into which shall be  
8 deposited:

9           (1) Fees collected pursuant to section 396-5.1;

10          (2) All civil penalties collected pursuant to  
11             section 396-10; and

12          (3) Appropriations made by the legislature to the fund.

13 All interest earned or accrued on moneys deposited into the  
14 workforce safety and health special fund shall become part of  
15 the special fund.

16          (b) Moneys in the workforce safety and health special fund  
17 shall be expended by the department for expenses of the Hawaii



1 occupational safety and health division, except for expenses  
2 prohibited by state law, federal law, or federal grant  
3 agreements.

4 (c) The unencumbered balance of the workforce safety and  
5 health special fund exceeding \$ \_\_\_\_\_ at the end of each  
6 fiscal year shall be deposited into the general fund on or about  
7 June 30 of each year."

8 SECTION 2. Section 371-12.5, Hawaii Revised Statutes, is  
9 amended by amending its title and subsection (a) to read as  
10 follows:

11 "[~~§~~§371-12.5[~~]~~] **Labor law enforcement special fund;**  
12 **establishment; purposes.** (a) There is established in the state  
13 treasury the labor law enforcement special fund into which shall  
14 be deposited:

15 (1) All penalties collected pursuant to section 388-9.7;

16 (2) All penalties collected pursuant to section 388-10;

17 [~~3~~] ~~All civil penalties assessed pursuant to section~~  
18 ~~396-10;~~

19 ~~(4)]~~ (3) Moneys appropriated by the legislature to the  
20 fund; and

21 [~~5~~] (4) Any income and capital gains earned by the fund."



1 SECTION 3. Section 396-5.1, Hawaii Revised Statutes, is  
2 amended by amending subsection (b) to read as follows:

3 "(b) Fees received pursuant to subsection (a) shall be  
4 deposited into the [~~general fund.~~] workforce safety and health  
5 special fund established pursuant to section 396- ."

6 SECTION 4. Section 396-10, Hawaii Revised Statutes, is  
7 amended by amending subsection (p) to read as follows:

8 "(p) All civil penalties collected pursuant to this  
9 section shall be deposited into the [~~labor law enforcement~~]  
10 workforce safety and health special fund[.] established pursuant  
11 to section 396- ."

12 SECTION 5. Statutory material to be repealed is bracketed  
13 and stricken. New statutory material is underscored.

14 SECTION 6. This Act shall take effect on January 1, 2050.



**Report Title:**

Workforce Safety and Health Special Fund; Department of Labor  
and Industrial Relations

**Description:**

Establishes the workforce safety and health special fund.  
Directs certain fees and penalties to be deposited into the  
special fund. Effective 1/1/2050. (HD1)

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

