
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- Occupational safety and health special fund;
5 establishment; purposes. (a) There is established within the
6 state treasury the occupational safety and health special fund,
7 to 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 assessed pursuant to section
11 396-10; and

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

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



1 (b) Moneys in the occupational safety and health special
2 fund shall be expended by the department for the following
3 purposes:
4 (1) Personnel and operating expenses; and
5 (2) Staff development and training fees and expenses.
6 (c) The unencumbered balance of the occupational safety
7 and health special fund exceeding \$ _____ at the end of each
8 fiscal year shall be deposited into the general fund on or about
9 June 30 every year."

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

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

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

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

19 [~~3~~] All ~~civil penalties assessed pursuant to section~~

20 ~~396-10,~~



1 ~~(4)~~ (3) Moneys appropriated by the legislature to the
2 fund; and

3 ~~(5)~~ (4) Any income and capital gains earned by the fund."

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

6 "(b) Fees received pursuant to subsection (a) shall be
7 deposited into the ~~[general fund.]~~ occupational health and
8 safety special fund established pursuant to section 396- ."

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

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

15 SECTION 5. Statutory material to be repealed is bracketed
16 and stricken. New statutory material is underscored.

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

18



Report Title:

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

Description:

Establishes the Occupational Safety and Health Special Fund. Directs certain fees and penalties to be deposited into the special fund. Effective 1/1/2050. (SD1)

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