
A BILL FOR AN ACT

RELATING TO THE LEGISLATURE.

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

1 SECTION 1. The legislature finds that work-related travel
2 is necessary for legislative members, both during and between
3 legislative sessions. Legislative members, especially members
4 from neighbor islands, incur substantial travel expenses,
5 lodging expenses, and other costs while representing their
6 constituents. While some state employers, including the
7 university of Hawaii, reimburse travel expenses at federally
8 determined rates, the current per diem rate for legislators
9 falls far below federal guidelines. To provide housing equity
10 and fair treatment, and to allow members to represent their
11 constituents effectively, the legislature believes that
12 out-of-district travel for all legislative members should be
13 reimbursed at rates established by the general services
14 administration and defense travel management office, no more and
15 no less.

16 The legislature also believes that legislative members from
17 neighbor islands may more effectively represent their districts



1 if the members are able to be present on the island of Oahu as
2 often as needed, including during legislative interims. To
3 provide housing equity with other agencies, and to support the
4 legislators' necessary presence at the capitol, legislators from
5 neighbor islands who maintain a residence on Oahu should be
6 provided a basic housing allowance at the standard federal per
7 diem rate, no more and no less.

8 Accordingly, the purpose of this Act is to require all
9 travel and lodging expenses for legislative members to be
10 reimbursed at federally determined rates, including:

- 11 (1) Out-of-district travel expenses for all legislative
12 members; and
13 (2) Basic housing expenses for non-Oahu legislative
14 members.

15 SECTION 2. Chapter 24, Hawaii Revised Statutes, is amended
16 by adding a new section to be appropriately designated and to
17 read as follows:

18 **"§24- Basic housing allowance for a non-Oahu**
19 **legislator.** A member of the legislature whose legal residence
20 is on an island other than the island of Oahu shall receive a
21 basic housing allowance, paid both during session and during



1 interim, and set at a rate equal to the maximum per diem rate
2 for lodging established by the Defense Travel Management
3 Office."

4 SECTION 3. Section 24-2, Hawaii Revised Statutes, is
5 amended to read as follows:

6 "**§24-2 Allowance for a non-Oahu legislator during session.**

7 (a) A member of the legislature whose legal residence is on an
8 island other than the island of Oahu shall receive an additional
9 allowance to cover all personal expenses [~~such as board,~~
10 ~~lodging,~~] and incidental expenses [~~but not travel expenses~~].

11 The allowance under this section shall be set at a single rate
12 that will[÷

13 ~~(1) Not exceed the greater of]~~ be equal to the maximum
14 allowance for [~~such~~] similar expenses payable to any
15 public officer or employee of the federal government
16 [~~or the State,~~

17 ~~(2) Be reasonably calculated to cover the expenses~~
18 ~~specified in this section; and~~

19 ~~(3) Be determined jointly by the president of the senate~~
20 ~~and the speaker of the house of representatives for~~
21 ~~the legislature as a whole].~~



1 (b) The allowance shall be paid to each member at the rate
2 prescribed for each day, from the first to the last day of each
3 session, including Saturdays, Sundays, holidays, and days of
4 recess pursuant to the mandatory recess required by article III,
5 section 10, of the Constitution or a concurrent resolution,
6 except for days of recess when a session of the legislature is
7 recessed for more than three days pursuant to a concurrent
8 resolution and for days of unexcused absence of the member from
9 a meeting of the respective house."

10 SECTION 4. Section 24-3, Hawaii Revised Statutes, is
11 amended to read as follows:

12 **"§24-3 Allowance for expenses while traveling on official**
13 **legislative business during a session within the State. A**
14 member of the legislature whose legal residence is on the island
15 of Oahu and who is required to remain away from the island of
16 the member's legal residence but within the State overnight or
17 longer while on official legislative business during a session
18 and when authorized by the presiding officer of the respective
19 house, shall receive an allowance to cover all personal expenses
20 such as board, lodging, and incidental expenses [~~but not travel~~



1 ~~expenses~~]. The allowance under this section shall be set at a
2 single rate that will[+]

3 ~~(1) Not exceed the greater of]~~ be equal to the maximum
4 allowance for [~~such~~] similar expenses payable to any
5 public officer or employee of the federal government
6 [~~or the State;~~

7 ~~(2) Be reasonably calculated to cover the expenses~~
8 ~~specified in this section; and~~

9 ~~(3) Be determined jointly by the president of the senate~~
10 ~~and the speaker of the house of representatives for~~
11 ~~the legislature as a whole]."~~

12 SECTION 5. Section 24-4, Hawaii Revised Statutes, is
13 amended to read as follows:

14 **"§24-4 Allowance for expenses while on official**
15 **legislative business during period of recess and interim**
16 **official legislative business.** When a session of the
17 legislature is recessed for more than three days pursuant to a
18 concurrent resolution or for any interim official legislative
19 business, a member of the legislature while on official
20 legislative business on the island of the member's legal
21 residence and when authorized by the presiding officer of the



1 respective house, shall receive an allowance of \$10 a day to
2 cover personal expenses.

3 When a session of the legislature is recessed for more than
4 three days pursuant to the mandatory recess required by
5 article III, section 10, of the Constitution or a concurrent
6 resolution or for any interim official legislative business, a
7 member of the legislature who is required to remain away from
8 the island of the member's legal residence but within the State
9 overnight or longer while on official legislative business and
10 when authorized by the presiding officer of the respective
11 house, shall receive an allowance to cover all personal expenses
12 ~~[such as board, lodging,]~~ and incidental expenses ~~[but not~~
13 ~~travel expenses]~~. The allowance under this section shall be set
14 at a single rate that will[+

15 ~~(1) Not exceed the greater of]~~ be equal to the maximum
16 allowance for ~~[such]~~ similar expenses payable to any
17 public officer or employee of the federal government
18 ~~[or the State;~~

19 ~~(2) Be reasonably calculated to cover the expenses~~
20 ~~specified in this section; and~~



1 ~~(3) Be determined jointly by the president of the senate~~
2 ~~and the speaker of the house of representatives for~~
3 ~~the legislature as a whole]."~~

4 SECTION 6. In accordance with section 9 of article VII, of
5 the Constitution of the State of Hawaii and sections 37-91 and
6 37-93, Hawaii Revised Statutes, the legislature has determined
7 that the appropriations contained in this Act will cause the
8 state general fund expenditure ceiling for fiscal year 2024-2025
9 to be exceeded by \$, or per cent. The reasons
10 for exceeding the general fund expenditure ceiling are that the
11 appropriations made in this Act are necessary to serve the
12 public interest and to meet the need provided for by this Act.

13 SECTION 7. There is appropriated out of the general
14 revenues of the State of Hawaii the sum of \$ or so
15 much thereof as may be necessary for fiscal year 2024-2025 to
16 carry out the purposes of this Act.

17 The sum appropriated shall be expended by the senate for
18 the purposes of this Act.

19 SECTION 8. There is appropriated out of the general
20 revenues of the State of Hawaii the sum of \$ or so



1 much thereof as may be necessary for fiscal year 2024-2025 to
2 carry out the purposes of this Act.

3 The sum appropriated shall be expended by the house of
4 representatives for the purposes of this Act.

5 SECTION 9. Statutory material to be repealed is bracketed
6 and stricken. New statutory material is underscored.

7 SECTION 10. This Act shall take effect on July 1, 2024.

8

INTRODUCED BY:

Jerzy Amato
JAN 24 2024



H.B. NO. 2718

Report Title:

Per Diem; Travel Expenses; Basic Housing Allowance; Federal Rates; Appropriation; General Fund Expenditure Ceiling Exceeded

Description:

Requires all travel and lodging expenses for legislative members to be reimbursed at federally determined rates. Establishes a basic housing allowance for non-Oahu legislative members. Appropriates moneys. Declares that the appropriation exceeds the state general fund expenditure ceiling for 2024-2025.

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

