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## A BILL FOR AN ACT

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RELATING TO EMPLOYMENT.

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

1       SECTION 1. The legislature finds that employers have a  
2       duty to pay their employees on time. In 2017, former Governor  
3       Ige signed Act 135, Session Laws of Hawaii 2017, into state law,  
4       which established how and when employees are to be paid. Under  
5       Act 135, an employer that fails to pay wages within seven days  
6       after the end of a pay period may be ordered to pay an  
7       administrative penalty of not less than \$500 or \$100 for each  
8       employee for every day of the violation, whichever is greater,  
9       in addition to back pay and damages equal to the amount of  
10      unpaid wages and interest at a rate of six per cent per year  
11      from the date that the wages were due. The legislature finds  
12      that the State and counties should hold themselves to the same  
13      standard.

14      The purpose of this Act is to increase the accountability  
15      of state and county employers with respect to the timely payment  
16      of wages to their employees.



SECTION 2. Section 388-1, Hawaii Revised Statutes, is amended by amending the definition of "employer" to read as follows:

"Employer" includes any individual; partnership; association; joint-stock company; trust; corporation; the personal representative of the estate of a deceased individual or the receiver, trustee, or successor of any of the same; and general contractor, for purposes of wages owed to the employees of a subcontractor, as those terms are defined in section 388-11.5[+], employing any person, but shall not include [the State or any political subdivision thereof or] the United States[-]; provided that the "employer" includes the State and any political subdivision thereof when a provision of this chapter has no comparable provision in chapter 78."

SECTION 3. This Act does not affect rights and duties that matured, penalties that were incurred, and proceedings that were begun before its effective date.

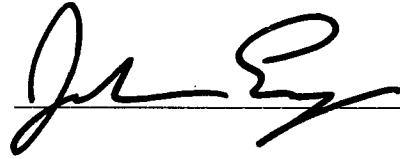
SECTION 4. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.



1 SECTION 5. This Act shall take effect upon its approval.

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INTRODUCED BY:

A handwritten signature in black ink, appearing to be "J. E.", is written over a horizontal line.

JAN 17 2025



# H.B. NO. 478

**Report Title:**

Employment; State and County Employers; Payment of Wages

**Description:**

Amends the definition of "employer" in state law that governs payment of wages and other compensation to include the State and counties when a provision in that law has no comparable provision in state law that governs public officers and employees.

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

