

JOSH GREEN, M.D.  
GOVERNOR  
KE KIA'ĀINA



GOV. MSG. NO. 1213

EXECUTIVE CHAMBERS  
KE KE'ENA O KE KIA'ĀINA

June 8, 2026

The Honorable Ronald D. Kouchi  
President of the Senate,  
and Members of the Senate  
Thirty-Third State Legislature  
State Capitol, Room 409  
Honolulu, Hawai'i 96813

The Honorable Nadine K. Nakamura  
Speaker, and Members of the  
House of Representatives  
Thirty-Third State Legislature  
State Capitol, Room 431  
Honolulu, Hawai'i 96813

Aloha President Kouchi, Speaker Nakamura, and Members of the Legislature:

This is to inform you that on June 8, 2026, the following bill was signed into law:

S.B. NO. 99, S.D. 1, H.D. 1,  
C.D. 1

RELATING TO GOVERNMENT.  
**ACT 113**

Mahalo,

Josh Green, M.D.  
Governor, State of Hawai'i

Approved by the Governor

on         JUN 8 2026        

THE SENATE  
THIRTY-THIRD LEGISLATURE, 2025  
STATE OF HAWAII

**ACT 113**  
**S.B. NO. 99**  
S.D. 1  
H.D. 1  
C.D. 1

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# A BILL FOR AN ACT

RELATING TO GOVERNMENT.

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

1           SECTION 1. The legislature finds that existing law  
2 specifies the circumstances under which an employees' retirement  
3 system retirant may be reemployed without the suspension of the  
4 retirant's benefits and provides remedies for the employees'  
5 retirement system if a retirant is reemployed in violation of  
6 chapter 88, Hawaii Revised Statutes, and any administrative rule  
7 adopted thereunder.

8           Accordingly, the purpose of this Act is to establish  
9 additional categories of retirants who may be employed without  
10 reenrollment in the employees' retirement system and without  
11 loss or interruption of benefits.

12           SECTION 2. Section 88-9, Hawaii Revised Statutes, is  
13 amended as follows:

14           1. By amending subsection (d) to read:

15           "(d) A retirant may be employed without reenrollment in  
16 the system and suffer no loss or interruption of benefits



1 provided by the system or under chapter 87A if the retirant is  
2 employed:

3 (1) As an elective officer pursuant to section 88-42.6(c)  
4 or as a member of the legislature pursuant to section  
5 88-73(d);

6 (2) As a juror or precinct official;

7 (3) As a part-time or temporary employee excluded from  
8 membership in the system pursuant to section 88-43, as  
9 a session employee excluded from membership in the  
10 system pursuant to section 88-54.2, or as any other  
11 employee expressly excluded by law from membership in  
12 the system; provided that:

13 (A) The retirant was not employed by the State or a  
14 county during the six calendar months [~~prior to~~]  
15 before the first day of reemployment; and

16 (B) No agreement was entered into between the State  
17 or a county and the retirant, [~~prior to~~] before  
18 the retirement of the retirant, for the return to  
19 work by the retirant after retirement;

20 (4) In a position identified by the appropriate  
21 jurisdiction, including relevant departments and



- 1           agencies, as a labor shortage or difficult-to-fill  
2           position; provided that:
- 3           (A) The retirant was not employed by the State or a  
4           county during the twelve calendar months [~~prior~~  
5           ~~to~~] before the first day of reemployment;
- 6           (B) No agreement was entered into between the State  
7           or a county and the retirant, [~~prior to~~] before  
8           the retirement of the retirant, for the return to  
9           work by the retirant after retirement; [~~and~~]
- 10          (C) Each employer shall contribute to the pension  
11          accumulation fund the required percentage of the  
12          rehired retirant's compensation to amortize the  
13          system's unfunded actuarial accrued liability;  
14          [~~or~~]; and
- 15          (D) Each employer, department, or agency, as the  
16          relevant jurisdiction, shall use one of the  
17          following requirements to identify a labor  
18          shortage or difficult-to-fill position:
- 19            (i) The vacancy rate of positions for the class,  
20            being the number of vacant positions on  
21            active recruitment divided by the sum of the



1                   filled positions and vacant positions on  
2                   active recruitment for the class of work,  
3                   shall have been at an average monthly  
4                   vacancy rate of fifty per cent or higher for  
5                   the preceding calendar year. A position  
6                   shall be considered vacant if not filled for  
7                   the majority of work days in a month;  
8                   (ii) The vacancy rate of positions for a class in  
9                   a geographic area, being the number of  
10                   vacant positions of that class on active  
11                   recruitment in that geographic area divided  
12                   by the sum of the filled positions and  
13                   vacant positions on active recruitment for  
14                   the class of work in that geographic area,  
15                   shall have been at an average monthly  
16                   vacancy rate of fifty per cent or higher for  
17                   the preceding calendar year. A position  
18                   shall be considered vacant if not filled for  
19                   the majority of work days in a month; or



1                    (iii) A position has been vacant while on  
2                    continuous active recruitment for at least  
3                    twelve calendar months;

4            (5) As a teacher or an administrator in a teacher shortage  
5            area identified by the department of education or in a  
6            charter school or as a mentor for new classroom  
7            teachers; provided that:

8            (A) The retirant was not employed by the State or a  
9            county during the twelve calendar months [~~prior~~  
10            ~~to~~] before the first day of reemployment;

11            (B) No agreement was entered into between the State  
12            or a county and the retirant [~~prior to~~] before  
13            the retirement of the retirant, for the return to  
14            work by the retirant after retirement; and

15            (C) The department of education or charter school  
16            shall contribute to the pension accumulation fund  
17            the required percentage of the rehired retirant's  
18            compensation to amortize the system's unfunded  
19            actuarial accrued liability[-]; and

20            (D) The department of education or each charter  
21            school shall use one of the following



1           requirements to identify a teacher or an  
2           administrator position in a shortage area or a  
3           mentor position for new classroom teachers:

4           (i) The vacancy rate of positions for the class,  
5                   being the number of vacant positions on  
6                   active recruitment divided by the sum of the  
7                   filled positions and vacant positions on  
8                   active recruitment for the class of work,  
9                   shall have been at an average monthly  
10                  vacancy rate of fifty per cent or higher for  
11                  the preceding calendar year. A position  
12                  shall be considered vacant if not filled for  
13                  the majority of work days in a month;

14           (ii) The vacancy rate of positions for a class in  
15                   a geographic area, being the number of  
16                   vacant positions of that class on active  
17                   recruitment in that geographic area divided  
18                   by the sum of the filled positions and  
19                   vacant positions on active recruitment for  
20                   the class of work in that geographic area,  
21                   shall have been at an average monthly



1                   vacancy rate of fifty per cent or higher for  
2                   the preceding calendar year. A position  
3                   shall be considered vacant if not filled for  
4                   the majority of work days in a month; or  
5                   (iii) A position has been vacant while on  
6                   continuous active recruitment for at least  
7                   twelve calendar months; or  
8                   (6) As a school resource officer identified by the  
9                   department of law enforcement or other law enforcement  
10                   agency as a labor shortage or difficult-to-fill  
11                   position; provided that:  
12                   (A) The retirant was not employed by the State or a  
13                   county during the twelve calendar months before  
14                   the first day of reemployment;  
15                   (B) No agreement was entered into between the State  
16                   or a county and the retirant before the  
17                   retirement of the retirant, for the return to  
18                   work by the retirant after retirement;  
19                   (C) The department of law enforcement or other law  
20                   enforcement agency shall contribute to the  
21                   pension accumulation fund the required percentage



1           of the rehired retirant's compensation to  
2           amortize the system's unfunded actuarial accrued  
3           liability;

4           (D) The retirant shall be stationed at a public  
5           school, as defined in section 302A-101, as a  
6           school resource officer; and

7           (E) The department of law enforcement or each law  
8           enforcement agency, as the relevant jurisdiction,  
9           shall use one of the following requirements to  
10           identify a labor shortage or difficult-to-fill  
11           position:

12           (i) The vacancy rate of positions for school  
13           resource officers, being the number of  
14           vacant positions on active recruitment  
15           divided by the sum of the filled positions  
16           and vacant positions on active recruitment  
17           for school resource officers, shall have  
18           been at an average monthly vacancy rate of  
19           fifty per cent or higher for the preceding  
20           calendar year. A position shall be



1                   considered vacant if not filled for the  
2                   majority of work days in a month; or  
3           (ii)   The vacancy rate of school resource officers  
4                   in a geographic area, being the number of  
5                   vacant positions of that school resource  
6                   officers on active recruitment in that  
7                   geographic area divided by the sum of the  
8                   filled positions and vacant positions on  
9                   active recruitment for school resource  
10                  officers in that geographic area, shall have  
11                  been at an average monthly vacancy rate of  
12                  fifty per cent or higher for the preceding  
13                  calendar year. A position shall be  
14                  considered vacant if not filled for the  
15                  majority of work days in a month; or  
16           (iii)   A school resource officer position has been  
17                  vacant while on continuous active  
18                  recruitment for at least twelve calendar  
19                  months."

20           2. By amending subsection (f) to read:



1           "(f) No later than twenty days prior to the convening of  
2 each regular legislative session, the director of human  
3 resources of the appropriate state jurisdiction or the human  
4 resources management chief executive of each county shall submit  
5 an annual report to the legislature detailing the employment of  
6 retirants under [~~paragraphs (4) and (5) of subsection (d),~~]  
7 subsection (d)(4), (5), and (6), including the number and  
8 positions of retirants."

9           SECTION 3. Statutory material to be repealed is bracketed  
10 and stricken. New statutory material is underscored.

11           SECTION 4. This Act shall take effect on July 1, 2026.



S.B. NO. 99  
S.D. 1  
H.D. 1  
C.D. 1

APPROVED this 8th day of June , 2026

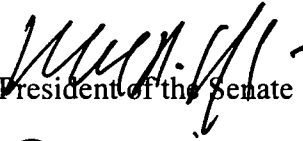
A handwritten signature in black ink, appearing to read "Josh Green". The signature is written in a cursive, flowing style.

GOVERNOR OF THE STATE OF HAWAII

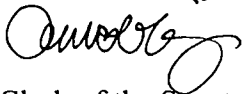
**THE SENATE OF THE STATE OF HAWAI'I**

Date: May 6, 2026  
Honolulu, Hawai'i 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the Senate of the Thirty-Third Legislature of the State of Hawai'i, Regular Session of 2026.



President of the Senate



Clerk of the Senate

SB No. 99, SD 1, HD 1, CD 1

THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: May 6, 2026  
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Thirty-Third Legislature of the State of Hawaii, Regular Session of 2026.



Nadine K. Nakamura  
Speaker  
House of Representatives



Brian L. Takeshita  
Chief Clerk  
House of Representatives