

---

## A BILL FOR AN ACT

RELATING TO CIVIL SERVICE EXEMPTION OF COUNTY POSITIONS.

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

1        SECTION 1. Section 46-33, Hawaii Revised Statutes, is  
2 amended to read as follows:

3        **"§46-33    Exemption of certain county positions.** In any  
4 county with a population of 500,000 or more, the civil service  
5 to which this section refers is comprised of all positions in  
6 the public service of ~~such~~ the county, now existing or  
7 hereafter established, and embraces all personal services  
8 performed for ~~such~~ the county, except the following:

9            (1) Positions of officers elected by public vote;  
10            positions of heads of departments; position of the  
11            clerk; position of the manager of the board of water  
12            supply and position of the chief of police.

13           (2) Positions in the office of mayor, but ~~such~~ the  
14           positions, except those of the heads of the offices of  
15           information and complaint and budget director, shall  
16           be included in the position classification plan.

17           Employees of the municipal library and of the offices



of information and complaint and budget director,  
other than the heads of [such] the offices, however,  
shall not be exempted from civil service.

- (3) Positions of deputies of the corporation counsel, deputies of the prosecuting attorney, and law clerks.
- (4) Positions of members of any board, commission, or equivalent body.
- (5) Positions filled by inmates, patients, or students in city institutions or in the schools.
- (6) Positions of district magistrates, jurors, and witnesses.
- (7) Personal services obtained by contract where the director of civil service has certified that the service is special or unique, is essential to the public interest and that, because of circumstances surrounding its fulfillment, personnel to perform [such] the service cannot be obtained through normal civil service recruitment procedures. Any [such] contract under this paragraph may be for any period not exceeding one year.



1 (8) Personal services of a temporary nature needed in the  
2 public interest where the need for the same does not  
3 exceed ninety days, but before any person may be  
4 employed to render [such] the temporary service the  
5 director of civil service shall certify that the  
6 service is of a temporary nature and that recruitment  
7 through normal civil service recruitment procedures is  
8 not practicable. The employment of any person for  
9 service of a temporary nature may be extended for good  
10 cause for an additional period not to exceed ninety  
11 days upon similar certification by the director  
12 subject to approval of the civil service commission.

13 (9) Personal services performed on a fee, contract or  
14 piecework basis by persons who may lawfully perform  
15 their duties concurrently with their private business  
16 or profession or other private employment, if any, and  
17 whose duties require only a portion of their time,  
18 where it is impracticable to ascertain or anticipate  
19 the portion of time devoted to the service of the city  
20 and [such] the fact is certified to by the director of  
21 civil service.



1 (10) Positions of temporary election clerks in the office  
2 of the clerk employed during the election periods, but  
3 the positions filled by [such] the employees shall be  
4 included in the position classification plan.

5 (11) Positions of one first deputy and private secretaries  
6 to heads of departments and their first deputies, but  
7 private secretarial positions shall be included in the  
8 position classification plan. The first deputy in the  
9 department of civil service, however, shall not be  
10 exempt from civil service.

11                   (12) Positions of the housing and community development  
12                   office or department; provided that this exemption  
13                   shall not preclude each county from establishing these  
14                   positions as civil service positions.

15 The director of civil service shall determine the applicability  
16 of this section to specific positions."

17 SECTION 2. Statutory material to be repealed is bracketed  
18 and stricken. New statutory material is underscored.



1 SECTION 3. This Act shall take effect upon its approval.

2

INTRODUCED BY:

Nicole K. Rahn

By Request

JAN 23 2026



# H.B. NO. 2058

**Report Title:**

City and County of Honolulu Mayor's Package; Civil Service; Housing and Community Development Office

**Description:**

Exempts positions of a county Housing and Community Development Office or Department from civil service laws.

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

