
A BILL FOR AN ACT

RELATING TO OFFENDER REENTRY.

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

1 SECTION 1. The legislature finds that there are
2 significant barriers to employment after an individual has been
3 convicted of a crime and sentenced to serve time in prison. The
4 U.S. military is one of the largest employers in the State.
5 Many military jobs require a security clearance. Criminal
6 convictions can create hurdles in the process of acquiring a
7 security clearance, but convictions are not absolute
8 disqualifiers. The only automatic disqualifiers are a lack of
9 American citizenship and ongoing use of an illegal drug.
10 Rather, waivers have been granted for employee candidates who
11 have been convicted of crimes which resulted in a prison
12 sentence of over one year. When granting waivers, adjudicators
13 look at factors such as the seriousness of the conduct, evidence
14 of rehabilitation, and likelihood of recurrence.

15 The purpose of this Act is to require the Department of
16 Corrections and Rehabilitation to provide certificates to



1 qualified individuals as evidence of these mitigating factors to
2 increase their eligibility for employment upon release.

3 SECTION 2. Section 353H-6, Hawaii Revised Statutes, is
4 amended to read as follows:

5 **"§353H-6 Employment of ex-offenders.** (a) The director of
6 labor and industrial relations shall take the necessary steps to
7 ensure offenders and ex-offenders are included and involved in
8 utilizing state and private resources for employment and
9 training opportunities as well as life skills and educational
10 opportunities.

11 (b) The department of corrections and rehabilitation, with
12 the assistance of the department of taxation and the department
13 of labor and industrial relations, shall develop and propose for
14 legislative consideration, tax incentives for employers who hire
15 individuals who were formerly incarcerated.

16 (c) The department of corrections and rehabilitation shall
17 issue a certificate of suitability for employment to include
18 evidence of the following:

19 (1) Fulfilment of sentence and all post-release
20 obligations;

21 (2) Completion of offender reentry programs;



(3) Successful rehabilitation efforts;

(4) Diminished likelihood of recurrence; and

(5) Readiness for employment opportunities.

(d) The department shall work closely and collaborate with state and federal agencies and private employers to educate stakeholders on the certification.

(e) The department shall work with the U.S. Department of Defense to increase the likelihood that eligible offenders will obtain a security clearance post-release if relevant to their employment pursuits.

(f) The department shall make rules pursuant to chapter 91 relating to the issuance and interpretation of the certificate and its relevance to existing criminal history record checks."

SECTION 3. There is appropriated out of the general revenues of the State of Hawaii the sum of \$ _____ or so much thereof as may be necessary for fiscal year 2026-2027 to implement and administer the certification of suitability for employment.

The sum appropriated shall be expended by the department of corrections and rehabilitation for the purposes of this Act.

SECTION 4. New statutory material is underscored.

H.B. NO. 2356

1 SECTION 5. This Act shall take effect on July 1, 2026.

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INTRODUCED BY:



JAN 27 2026



H.B. NO. 2356

Report Title:

Offender Reentry; Employment; Certificates; Security Clearance; Appropriation

Description:

Requires the Department of Corrections and Rehabilitation to provide a certificate of suitability for employment to offenders who have satisfied all sentencing and post-release requirements. Requires the Department of Corrections and Rehabilitation to work with government and private stakeholders to conduct public education regarding the certificates. Requires the Department of Corrections and Rehabilitation to work with the Department of Defense to increase offenders' eligibility for security clearance in post-release employment. Appropriates funds.

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