

---

## A BILL FOR AN ACT

PROPOSING AN AMENDMENT TO ARTICLE IX OF THE HAWAII STATE CONSTITUTION RELATING TO WAGE EQUITY.

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

1 SECTION 1. The legislature finds that for more than a  
2 century, wage protections in the United States have been shaped  
3 by exclusions rooted in racial discrimination. When federal  
4 labor standards were first established in the early twentieth  
5 century, large categories of workers, especially agricultural  
6 laborers, domestic workers, and others whose occupations were  
7 disproportionately held by formerly enslaved people and other  
8 workers of color, were deliberately excluded as political  
9 compromises during and after Reconstruction. These exclusions  
10 entrenched economic inequality and allowed entire industries to  
11 legally pay subminimum wages, perpetuating the legacy of slavery  
12 and denying many workers the basic dignity of fair compensation.

13 The legislature further finds that although Hawaii's  
14 economy and labor force are distinct from those historical  
15 contexts, remnants of these inequities persist in state and  
16 federal law. Today, certain categories of workers in Hawaii,



1 including those performing essential, difficult, and often  
2 undervalued work, may still be denied the guarantee of earning  
3 at least the state minimum wage simply because of the type or  
4 nature of their employment. Such disparities are inconsistent  
5 with the State's commitment to fairness, equality, and the  
6 protection of all workers.

7 The legislature also finds that ensuring universal access  
8 to the minimum wage is necessary to remedy these long-standing  
9 inequities, promote economic justice, and affirm that every  
10 person engaged in work in Hawaii deserves the same fundamental  
11 wage protections.

12 Therefore, the purpose of this Act is to propose an  
13 amendment to article IX of the Hawaii State Constitution to  
14 guarantee that every person has the inalienable right, while  
15 engaged in employment in the State, to be paid at a wage rate  
16 that is at least equal to the state minimum wage rate, as  
17 provided by law, without regard to the type or nature of  
18 employment, unless justified by a compelling state interest  
19 achieved by the least restrictive means.



1 SECTION 2. Article IX of the Hawaii State Constitution is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:

4 **"WAGE EQUITY"**

5 Section . Every person shall have the inalienable  
6 right, while engaged in employment in the State, to be paid at a  
7 wage rate that is at least equal to the state minimum wage rate,  
8 as provided by law, without regard to the type or nature of  
9 employment. The State shall not deny or abridge this right,  
10 unless justified by a compelling state interest achieved by the  
11 least restrictive means."

12 SECTION 3. The question to be printed on the ballot shall  
13 be as follows:

14 "Shall every person have the inalienable right, while  
15 engaged in employment in the State, to be paid at a wage rate  
16 that is at least equal to the state minimum wage rate, as  
17 provided by law, without regard to the type or nature of  
18 employment, unless justified by a compelling state interest  
19 achieved by the least restrictive means?"

20 SECTION 4. New constitutional material is underscored.



1 SECTION 5. This amendment shall take effect upon  
2 compliance with article XVII, section 3, of the Hawaii State  
3 Constitution.

4

INTRODUCED BY:

  
JAN 27 2026



# H.B. NO. 2370

**Report Title:**

Wage Equity; Constitutional Amendment

**Description:**

Proposes an amendment to Article IX of the Hawaii State Constitution to guarantee that every person has the inalienable right, while engaged in employment in the State, to be paid at a wage rate that is at least equal to the state minimum wage rate, as provided by law, without regard to the type or nature of employment, unless justified by a compelling state interest achieved by the least restrictive means.

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

