

JAN 23 2026

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 in 2010, chapter 88,
2 Hawaii Revised Statutes, was amended to clarify the
3 circumstances under which an employees' retirement system
4 retirant may be reemployed without the suspension of the
5 retirant's benefits and to provide remedies for the employees'
6 retirement system if a retirant is reemployed in violation of
7 that chapter or any administrative rule adopted thereunder.

8 The legislature further finds that there is a labor
9 shortage in the State that makes it difficult to fill certain
10 positions in the public sector.

11 Accordingly, the purpose of this Act is to include
12 positions needed for succession planning in the types of
13 positions that may be filled by retirants without reenrollment
14 in the employees' retirement system and without loss or
15 interruption of benefits.

16 SECTION 2. Section 88-9, Hawaii Revised Statutes, is
17 amended by amending subsection (d) to read as follows:



1 "(d) A retirant may be employed without reenrollment in
2 the system and suffer no loss or interruption of benefits
3 provided by the system or under chapter 87A if the retirant is
4 employed:

5 (1) As an elective officer pursuant to section 88-42.6(c)
6 or as a member of the legislature pursuant to section
7 88-73(d);

8 (2) As a juror or precinct official;

9 (3) As a part-time or temporary employee excluded from
10 membership in the system pursuant to section 88-43, as
11 a session employee excluded from membership in the
12 system pursuant to section 88-54.2[+], [+] or as any
13 other employee expressly excluded by law from
14 membership in the system; provided that:
15 (A) The retirant was not employed by the State or a
16 county during the six calendar months ~~[prior to]~~
17 before the first day of reemployment; and
18 (B) No agreement was entered into between the State
19 or a county and the retirant, ~~[prior to]~~ before
20 the retirement of the retirant, for the return to
21 work by the retirant after retirement;



1 (4) In a position identified by the appropriate
2 jurisdiction as a labor shortage or difficult-to-fill
3 [position;] position, or a position needed for
4 succession planning; provided that:
5 (A) The retirent was not employed by the State or a
6 county during the twelve calendar months [prior
7 to] before the first day of reemployment;
8 (B) No agreement was entered into between the State
9 or a county and the retirent, [prior to] before
10 the retirement of the retirent, for the return to
11 work by the retirent after retirement; and
12 (C) Each employer shall contribute to the pension
13 accumulation fund the required percentage of the
14 rehired retirent's compensation to amortize the
15 system's unfunded actuarial accrued liability; or
16 (5) As a teacher or an administrator in a teacher shortage
17 area identified by the department of education or in a
18 charter school or as a mentor for new classroom
19 teachers; provided that:



1 (A) The retirant was not employed by the State or a
2 county during the twelve calendar months [prior
3 to] before the first day of reemployment;
4 (B) No agreement was entered into between the State
5 or a county and the retirant [prior to] before
6 the retirement of the retirant, for the return to
7 work by the retirant after retirement; and
8 (C) The department of education or charter school
9 shall contribute to the pension accumulation fund
10 the required percentage of the rehired retirant's
11 compensation to amortize the system's unfunded
12 actuarial accrued liability."

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

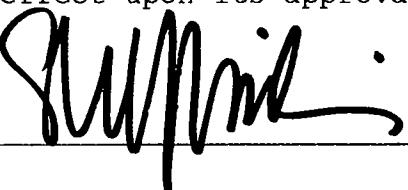
16 SECTION 4. Statutory material to be repealed is bracketed
17 and stricken. New statutory material is underscored.



S.B. NO. 2555

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

2

INTRODUCED BY: 



S.B. NO. 2555

Report Title:

ERS; Retirants; Employment; Succession Planning

Description:

Allows a retirant to be employed without reenrollment in the Employees' Retirement System and without loss or interruption of benefits if the retirant is employed in a position identified for succession planning purposes.

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

