

JAN 23 2026

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# A BILL FOR AN ACT

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RELATING TO RETIRED EDUCATION EMPLOYEES.

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

1 SECTION 1. Section 88-9, Hawaii Revised Statutes, is  
2 amended by amending subsection (d) to read as follows:

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

7 (1) As an elective officer pursuant to section 88-42.6(c)  
8 or as a member of the legislature pursuant to section  
9 88-73(d);

10 (2) As a juror or precinct official;

11 (3) As a part-time or temporary employee excluded from  
12 membership in the system pursuant to section 88-43, as  
13 a session employee excluded from membership in the  
14 system pursuant to section 88-54.2[+], [+] or as any  
15 other employee expressly excluded by law from  
16 membership in the system; provided that:



- (A) The retireant was not employed by the State or a county during the six calendar months [prior to] before the first day of reemployment; and
- (B) No agreement was entered into between the State or a county and the retireant, [prior to] before the retirement of the retireant, for the return to work by the retireant after retirement;

(4) In a position identified by the appropriate jurisdiction as a labor shortage or difficult-to-fill position; provided that:

- (A) The retireant was not employed by the State or a county during the twelve calendar months [prior to] before the first day of reemployment;
- (B) No agreement was entered into between the State or a county and the retireant, [prior to] before the retirement of the retireant, for the return to work by the retireant after retirement; and
- (C) Each employer shall contribute to the pension accumulation fund the required percentage of the rehired retireant's compensation to amortize the system's unfunded actuarial accrued liability; or



1 (5) As a teacher or an administrator in a teacher shortage  
2 area or difficult-to-fill position identified by the  
3 department of education or in a charter school or as a  
4 mentor for new classroom teachers; provided that:  
5 (A) The retirant 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 retirant [prior to] before  
10 the retirement of the retirant, for the return to  
11 work by the retirant after retirement; [and]  
12 (C) The department of education or charter school  
13 shall contribute to the pension accumulation fund  
14 the required percentage of the rehired retirant's  
15 compensation to amortize the system's unfunded  
16 actuarial accrued liability~~[,]~~;  
17 (D) The retirant shall receive the entry level salary  
18 for the teacher or administrator position as  
19 negotiated in the collective bargaining unit  
20 contract for that position; and



1                   (E) The retirant shall not be eligible for benefits  
2                   typically afforded to active employees pursuant  
3                   to chapter 78."

4               SECTION 2. The department of education shall adopt rules  
5               pursuant to chapter 91, Hawaii Revised Statutes, to implement  
6               this Act, including establishing:

7               (1) Procedures to identify teacher and administrator  
8               shortage areas and difficult-to-fill positions; and  
9               (2) Guidelines for hiring retirants in accordance with  
10               collective bargaining agreements.

11               SECTION 3. Statutory material to be repealed is bracketed  
12               and stricken. New statutory material is underscored.

13               SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY:



S.B. NO. 2872

**Report Title:**

DOE; Retirants; Benefits; Exemption; Teachers; Administrators; Difficult-to-Fill Positions; Rules

**Description:**

Requires retirants rehired as teachers or administrators in shortage areas or in difficult-to-fill positions to be paid the entry level salary for the teacher or administrator position as negotiated in the collective bargaining unit contract.

Prohibits rehired retirants from receiving additional employment benefits. Requires the Department of Education to adopt rules.

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

