

JAN 23 2026

A BILL FOR AN ACT

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 retirant 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 retirant, [~~prior to~~] before the retirement of the retirant, for the return to work by the retirant after retirement;

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

(A) The retirant 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 retirant, [~~prior to~~] before the retirement of the retirant, for the return to work by the retirant after retirement; and

(C) Each employer shall contribute to the pension accumulation fund the required percentage of the rehired retirant's compensation to amortize the system's unfunded actuarial accrued liability; or



(5) As a teacher or an administrator in a teacher shortage area or difficult-to-fill position identified by the department of education or in a charter school or as a mentor for new classroom teachers; provided that:

(A) The retirant 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 retirant [~~prior to~~] before the retirement of the retirant, for the return to work by the retirant after retirement; [~~and~~]

(C) The department of education or charter school shall contribute to the pension accumulation fund the required percentage of the rehired retirant's compensation to amortize the system's unfunded actuarial accrued liability[~~-~~];

(D) The retirant shall receive the entry level salary for the teacher or administrator position as negotiated in the collective bargaining unit 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.

14
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.

