

JAN 28 2026

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# A BILL FOR AN ACT

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RELATING TO STATE EMPLOYMENT.

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

- 1       SECTION 1. The legislature finds that the State's  
2       seasonally adjusted unemployment rate was 2.2 per cent as of  
3       November 2025, according to data from the department of  
4       business, economic development, and tourism. Due to this  
5       historically low unemployment rate, many state agencies have  
6       continued to struggle to fill vacant civil service positions  
7       despite efforts to promote the State as an employer of choice,  
8       increased marketing and outreach to potential job candidates,  
9       and the State's flexible compensation programs.
- 10       The legislature further finds that the State must remove  
11       unnecessary barriers that inhibit the provision of critical  
12       government services by facilitating additional pathways to  
13       employment, while also increasing accountability by ensuring  
14       that departments and agencies continue to recruit to fill vacant  
15       positions.
- 16       Therefore, the purpose of this Act is to:



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1           (1) Repeal language limiting the temporary employment of a  
2           person in a single position to two terms of  
3           eighty-nine days;

4           (2) Require each department and agency to submit an annual  
5           report to the legislature that includes certain  
6           information about the department or agency's  
7           employment of eighty-nine-day hires; and

8           (3) Automatically abolish positions that have been vacant  
9           for more than forty-eight months.

10          SECTION 2. Section 76-28.5, Hawaii Revised Statutes, is  
11          amended by amending subsection (a) to read as follows:

12          "(a) ~~[No]~~ A department or agency of the State ~~[shall]~~ may  
13          temporarily employ ~~[the same]~~ a person in ~~[the same]~~ a vacant  
14          position that is wholly funded by general funds for ~~[more than~~  
15          ~~two]~~ multiple terms of eighty-nine days; provided that ~~[with the~~  
16          ~~approval of the governor, a department or agency of the State~~  
17          ~~may temporarily employ the same person in the same position for~~  
18          ~~eight terms of eighty-nine days within a consecutive twenty-~~  
19          ~~four-month period.],~~ no later than twenty days prior the  
20          convening of each regular session, each department or agency  
21          shall submit a report to the legislature that includes



1 information on the department or agency's employment of eighty-  
 2 nine-day hires by position, including the:

- 3       (1) Position number;
- 4       (2) Job title;
- 5       (3) Division, branch, section, unit, and island;
- 6       (4) Salary range;
- 7       (5) Bargaining unit;
- 8       (6) Date the position was last occupied by a regular civil  
 9       service appointee;
- 10      (7) Number of eighty-nine-day appointments made by the  
 11      department or agency for the position during the  
 12      preceding twenty-four-month period;
- 13      (8) Agency's recruitment efforts to permanently fill the  
 14      position; and
- 15      (9) Department or agency's justification for retaining  
 16      that position, including why the position should not  
 17      be abolished and why funding for the position should  
 18      be retained.

19      A position that has been vacant for more than forty-eight  
 20      months, regardless of whether the position was filled by a  
 21      temporary hire pursuant to this section for any portion of the



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1 forty-eight months, shall be automatically abolished unless the  
2 legislature affirmatively retains and funds the position."

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

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

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INTRODUCED BY:

A handwritten signature in black ink, appearing to be "Dan Marshall", is written over a horizontal line. The signature is stylized and cursive.

# S.B. NO. 3180

**Report Title:**

State Employment; Temporary Employment; Eighty-Nine-Day Hires; Limits; Abolishment; Annual Reports

**Description:**

Repeals language that limits the temporary employment of a person in a single position for 2 terms of 89 days. Requires each department and agency to submit an annual report to the Legislature that includes certain information about the department or agency's employment of 89-day hires. Automatically abolishes positions that have been vacant for more than 48 months.

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

