THE SENATE
THIRTY-THIRD LEGISLATURE, 2025
STATE OF HAWAII

S.B. NO. 1546

JAN 2 3 2025

A BILL FOR AN ACT

RELATING TO RETIRED TEACHERS.

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

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

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

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

(2) As a juror or precinct official;

(3) As a part-time or temporary employee excluded from membership in the system pursuant to section 88-43, as a session employee excluded from membership in the system pursuant to section 88-54.2, as the president and chief executive officer of the Hawaii tourism authority excluded from membership in the system pursuant to section 201B-2, or as any other employee

expressly excluded by law from 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 the first day of reemployment; and

(B) No agreement was entered into between the State or a county and the retirant, prior to 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 the first day of reemployment;

(B) No agreement was entered into between the State or a county and the retirant, prior to 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 a salary not less than the minimum salary for a teacher with equivalent experience and qualifications; and

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

SECTION 2. The department of education shall adopt rules pursuant to chapter 91, Hawaii Revised Statutes, to implement this Act, including establishing procedures to identify teacher shortage areas and difficult-to-fill positions.

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 Statutory material to be repealed is bracketed and stricken.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

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

INTRODUCED BY: _____

S.B. NO. 1546

Report Title:
DOE; Retirants; Benefits; Exemption; Teachers; Difficult-to-Fill Positions

Description:
Requires retirants rehired as teachers or administrators in teacher shortage areas or in difficult-to-fill positions to be paid at least the minimum salary for their experience and qualifications. Prohibits rehired retirants from receiving additional employment benefits. Directs the Department of Education to adopt rules to identify teacher shortage areas and difficult-to-fill positions.

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