

JAN 21 2026

A BILL FOR AN ACT

RELATING TO PUBLIC EMPLOYMENT.

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

1 SECTION 1. Chapter 76, Hawaii Revised Statutes, is amended
2 by adding a new section to part I to be appropriately designated
3 and to read as follows:

4 "§76- Recruitment; hiring; state departments, divisions,
5 and agencies; rules. (a) Notwithstanding any law to the
6 contrary, any state department, division, or agency may elect to
7 assume the hiring and recruitment functions from the director of
8 human resources development for vacant positions within that
9 department, division, or agency. The functions shall include
10 but not be limited to:

11 (1) Composing position descriptions;
12 (2) Accepting applicants for the vacant positions;
13 (3) Completing minimum qualification reviews of
14 applicants;
15 (4) Conducting interviews; and
16 (5) Directly hiring applicants who meet the minimum
17 qualifications of the position.



1 (b) Any state department, division, or agency that elects
2 to assume the hiring and recruitment functions for a vacancy
3 pursuant to subsection (a) shall:

4 (1) Provide written notice of its election to the
5 department of human resources development; and
6 (2) Perform all recruitment and hiring activities in a
7 manner consistent with the provisions of this chapter
8 and in compliance with any policies, standards, and
9 procedures issued by the director of human resources
10 development.

11 (c) The election of a state department, division, or
12 agency to assume the hiring and recruitment functions for a
13 vacancy pursuant to this section shall:

14 (1) Apply to recruitment and hiring activities initiated
15 after June 30, ; and
16 (2) Be effective until the state department, division, or
17 agency provides written notice to the department of
18 human resources development of its decision to cancel
19 its election.



1 (d) The department of human resources development shall
2 adopt rules in accordance with chapter 91 necessary to implement
3 this section."

4 SECTION 2. Section 26-5, Hawaii Revised Statutes, is
5 amended by amending subsections (a) and (b) to read as follows:

6 "(a) The department of human resources development shall
7 be headed by a single executive to be known as the director of
8 human resources development. The director shall:

9 (1) Facilitate and expedite the hiring and recruitment for
10 civil service positions under the jurisdiction of the
11 department of human resources development; provided
12 that any state department, division, or agency may
13 elect to assume the hiring and recruitment functions
14 from the director of human resources development for
15 vacant positions within that department, division, or
16 agency pursuant to section 76- ; and

17 (2) Have the authority to reclassify and abolish vacant
18 positions within state departments and agencies that
19 are under the jurisdiction of the department of human
20 resources development, subject to the following
21 conditions:



1 (A) Prior to reclassifying or abolishing any vacant
2 position as provided under this paragraph, the
3 director shall submit a report to the legislature
4 no later than twenty days prior to each regular
5 session. The report shall include a list of
6 vacant positions for reclassification or
7 abolition, identify the agency each position is
8 attached to, provide reasons for reclassifying or
9 abolishing the position, and state the duration
10 that the position has been vacant; and

11 (B) The director may reclassify or abolish any vacant
12 position as provided under this paragraph no
13 earlier than sixty days after the report has been
14 submitted to the legislature as provided under
15 subparagraph (A).

16 (b) The department shall administer the state human
17 resources program, including human resources development and
18 training, and central human resources services such as
19 recruitment, examination, classification, pay administration,
20 and payment of any claims as required under chapter 386[-];
21 provided that any state department, division, or agency may



1 elect to assume the recruitment functions from the department of
2 human resources development for vacant positions within that
3 department, division, or agency."

4 SECTION 3. Section 76-22.6, Hawaii Revised Statutes, is
5 repealed.

6 ~~["[S76-22.6] Recruitment, minimum qualification review,~~
7 ~~state departments, divisions, and agencies.~~ (a)
8 ~~Notwithstanding any other law to the contrary, a state~~
9 ~~department, division, or agency, rather than the department of~~
10 ~~human resources development, may conduct a minimum qualification~~
11 ~~review of applicants for vacant positions within that~~
12 ~~department, division, or agency.~~

13 ~~(b) A state department, division, or agency that elects to~~
14 ~~conduct its own minimum qualification review of applicants for a~~
15 ~~vacancy pursuant to subsection (a) shall notify the department~~
16 ~~of human resources development, which shall provide to the~~
17 ~~department, division, or agency:~~

18 ~~(1) For positions with a recruitment closing date, the~~
19 ~~applications received for the vacancy received by the~~
20 ~~closing date for that vacancy; or~~



1 (2) For continuous recruitment positions, the applications
2 received for the vacancy that have been received by a
3 certain date, as determined by the state department,
4 division, or agency; provided that the department of
5 human resources development shall continue to transmit
6 applications for that position on a reasonable rolling
7 basis until the particular vacancy is filled;
8 provided further that the department of human resources
9 development shall submit the applications received for a vacancy
10 immediately to a state department, division, or agency if
11 requested by the applicable state department, division, or
12 agency.

13 (c) Upon completing the minimum qualification review of
14 applicants for a vacancy, the state department, division, or
15 agency shall submit to the department of human resources
16 development the applications for individuals who have met the
17 minimum qualifications for the vacancy; provided that the state
18 department, division, or agency may immediately begin
19 interviewing applicants that have been determined to meet the
20 minimum qualifications for the vacant position. The department
21 of human resources development shall complete any other tasks



1 ~~necessary to facilitate the hiring of the applicants, including~~
2 ~~auditing and correcting any errors found in the minimum~~
3 ~~qualification review, as applicable; provided further that if~~
4 ~~any errors are found, the department of human resources~~
5 ~~development shall have five working days to correct the error~~
6 ~~and notify the state department, division, or agency."]~~

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

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

10

INTRODUCED BY: 



S.B. NO. 2137

Report Title:

DHRD; Civil Service Positions; State Departments, Divisions, and Agencies; Recruitment and Hiring; Rules

Description:

Authorizes state departments, divisions, and agencies to elect to assume hiring and recruitment functions from the Department of Human Resources Development for vacant civil service positions within that department, division, or agency under certain conditions. Requires the Department of Human Resources Development to adopt rules. Repeals existing law authorizing state departments, divisions, and agencies to conduct minimum qualification review of applicants for their vacant civil service positions.

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