

JAN 21 2026

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# 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 abolishment, 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~~



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~~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." ]~~

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 Statutory material to be repealed is bracketed  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

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

INTRODUCED BY: \_\_\_\_\_

A handwritten signature in black ink, appearing to be "J. B. ...", written over a horizontal line.

# 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.

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

