
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:



- 1 (A) The retirant was not employed by the State or a
2 county during the six calendar months [~~prior to~~
3 before the first day of reemployment; and
- 4 (B) No agreement was entered into between the State
5 or a county and the retirant, [~~prior to~~] before
6 the retirement of the retirant, for the return to
7 work by the retirant after retirement;
- 8 (4) In a position identified by the appropriate
9 jurisdiction as a labor shortage or difficult-to-fill
10 position; provided that:
- 11 (A) The retirant was not employed by the State or a
12 county during the twelve calendar months [~~prior~~
13 ~~to~~] before the first day of reemployment;
- 14 (B) No agreement was entered into between the State
15 or a county and the retirant, [~~prior to~~] before
16 the retirement of the retirant, for the return to
17 work by the retirant after retirement; and
- 18 (C) Each employer shall contribute to the pension
19 accumulation fund the required percentage of the
20 rehired retirant's compensation to amortize the
21 system's unfunded actuarial accrued liability; or



1 (5) As a teacher or an administrator in a [~~teacher~~
2 ~~shortage area identified by the~~] department of
3 education school or in a charter school or as a mentor
4 for new classroom teachers; provided that:

5 (A) The retirant was not employed by the State or a
6 county during the twelve calendar months [~~prior~~
7 ~~to~~] before the first day of reemployment;

8 (B) No agreement was entered into between the State
9 or a county and the retirant [~~prior to~~] before
10 the retirement of the retirant, for the return to
11 work by the retirant after retirement; [~~and~~]

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

17 (D) A retirant hired after June 30, 2026:

18 (i) Shall receive the entry level salary for the
19 teacher or administrator position as
20 negotiated in the collective bargaining unit
21 contract for that position; and



1 (ii) Shall not be eligible for benefits typically
2 afforded to active employees pursuant to
3 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. This Act does not affect rights and duties that
12 matured, penalties that were incurred, and proceedings that were
13 begun before its effective date.

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

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



Report Title:

DOE; Retirants; Benefits; Exemption; Teachers; Administrators;
Rules

Description:

Repeals the requirement that retirants rehired as teachers or administrators serve in a teacher shortage area identified by the Department of Education. Requires retirants rehired after 6/30/2026 as teachers or administrators in Department or charter schools to be paid the entry level salary for the teacher or administrator position as negotiated in the collective bargaining unit contract. Prohibits retirants rehired after 6/30/2026 from receiving additional employment benefits. Requires the DOE to adopt rules. (SD1)

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