

ACT 107

H.B. NO. 998

A Bill for an Act Relating to Penalties by the Director of Labor and Industrial Relations.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Chapter 386, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

~~“§386-~~ **Penalties.** (a) Any person who, after twenty-one days written notice and the opportunity to be heard by the director, is found to have violated

any provision of this chapter or rule adopted thereunder for which no penalty is otherwise provided, shall be fined not more than \$250 for each offense.

(b) All fines collected pursuant to this chapter shall be deposited into the special compensation fund created by section 386-151.”

SECTION 2. Chapter 392, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

“§392- Penalties. (a) Any person who, after twenty-one days written notice and the opportunity to be heard by the director, is found to have violated any provision of this chapter or rule adopted thereunder for which no penalty is otherwise provided, shall be fined not more than \$250 for each offense.

(b) All fines collected pursuant to this chapter shall be deposited into the special fund for disability benefits created by section 392-61.”

SECTION 3. Chapter 393, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

“§393- Penalties. (a) Any person who, after twenty-one days written notice and the opportunity to be heard by the director, is found to have violated any provision of this chapter or rule adopted thereunder for which no penalty is otherwise provided, shall be fined not more than \$250 for each offense.

(b) All fines collected pursuant to this chapter shall be deposited into the special premium supplementation fund created by section 393-41.”

SECTION 4. Section 371-9, Hawaii Revised Statutes, is amended to read as follows:

“§371-9 Penalties. (a) Any employer, employee, or other person who wilfully violates any lawful rule [or regulation] of the department [of labor and industrial relations] for which no penalty is otherwise provided shall be fined not more than [\$100,] \$250, or imprisoned not more than six months, or both, for each such offense[; and each day the violation continues may be deemed a separate offense in the discretion of the court].

(b) Any person who, after twenty-one days written notice and the opportunity to be heard by the director, is found to have violated any lawful rule of the department for which no penalty is otherwise provided, shall be fined not more than \$250 for each offense.”

SECTION 5. Statutory material to be repealed is bracketed. New statutory material is underscored.¹

SECTION 6. This Act shall take effect upon its approval.

(Approved May 10, 1991.)

Note

1. Edited pursuant to HRS §23G-16.5.