

ACT 115

H.B. NO. 1764

A Bill for an Act Relating to the Residency of Appointive Officers.

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

SECTION 1. Section 78-1, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

“(b) All appointive officers in the service of the government of the State or any county who are employed as department heads and deputies or assistants to a department head shall be citizens of the United States and residents of the State for at least one year immediately preceding their appointment[-]; provided that the foregoing one year residency requirement may be waived by the appointing authority when the appointive officer is required to have highly specialized or scientific knowledge and training and a qualified applicant who is a resident for at least one year is not available to fill the position. All others appointed in the service of the government of the State or in the service of any county or municipal subdivision of the State shall be citizens, nationals, or permanent resident aliens of the United States and residents of the State at the time of their appointment. A national or permanent resident alien appointee shall not be eligible for continued employment unless such person diligently seeks citizenship upon becoming eligible to apply for United States citizenship.”

SECTION 2. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 3. This Act shall take effect upon its approval.

(Approved June 15, 2012.)