

ACT 168

S.B. NO. 1536

A Bill for an Act Relating to the Hawaii Tourism Authority.

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

SECTION 1. Section 88-9, Hawaii Revised Statutes, is amended by amending subsection (d) to read as follows:

“(d) A retirant may be employed without reenrollment in the system and suffer no loss or interruption of benefits provided by the system or under chapter 87A if the retirant is employed:

- (1) As an elective officer pursuant to section 88-42.6(c) or as a member of the legislature pursuant to section 88-73(d);
- (2) As a juror or precinct official;
- (3) As a part-time or temporary employee excluded from membership in the system pursuant to section 88-43, as a session employee excluded from membership in the system pursuant to section 88-54.2[; as the president and chief executive officer of the Hawaii tourism authority excluded from membership in the system pursuant to section 201B-2,] or as any other employee expressly excluded by law from membership in the system; provided that:
 - (A) The retirant was not employed by the State or a county during the six calendar months prior to the first day of reemployment; and
 - (B) No agreement was entered into between the State or a county and the retirant, prior to the retirement of the retirant, for the return to work by the retirant after retirement;
- (4) In a position identified by the appropriate jurisdiction as a labor shortage or difficult-to-fill position; provided that:
 - (A) The retirant was not employed by the State or a county during the twelve calendar months prior to the first day of reemployment;
 - (B) No agreement was entered into between the State or a county and the retirant, prior to the retirement of the retirant, for the return to work by the retirant after retirement; and
 - (C) Each employer shall contribute to the pension accumulation fund the required percentage of the rehired retirant’s compensation to amortize the system’s unfunded actuarial accrued liability; or
- (5) As a teacher or an administrator in a teacher shortage area identified by the department of education or in a charter school or as a mentor for new classroom teachers; provided that:
 - (A) The retirant was not employed by the State or a county during the twelve calendar months prior to the first day of reemployment;

- (B) No agreement was entered into between the State or a county and the retirant prior to the retirement of the retirant, for the return to work by the retirant after retirement; and
- (C) The department of education or charter school shall contribute to the pension accumulation fund the required percentage of the rehired retirant's compensation to amortize the system's unfunded actuarial accrued liability."

SECTION 2. Section 201B-2, Hawaii Revised Statutes, is amended by amending subsection (f) to read as follows:

"(f) The board shall appoint one person to serve as president and chief executive officer, exempt from ~~[chapters 76 and 88]~~ chapter 76, who shall oversee the authority staff; provided ~~[further]~~ that the compensation package shall not include private sector moneys or other contributions. The board shall set the president and chief executive officer's duties, responsibilities, holidays, vacations, leaves, hours of work, and working conditions. It may grant other benefits as it deems necessary."

SECTION 3. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 4. This Act shall take effect upon its approval.

(Approved June 3, 2025.)