

ACT 40

H.B. NO. 1045

A Bill for an Act Making Emergency Appropriations for Law Enforcement Personnel Costs.

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

SECTION 1. This Act is recommended by the governor for immediate passage in accordance with section 9 of article VII of the Constitution of the State of Hawaii.

SECTION 2. The legislature finds that section 3 of Act 164, Session Laws of Hawaii 2023, as amended by Act 230, Session Laws of Hawaii 2024, appropriated general funds to the department of accounting and general services in fiscal year 2024-2025 for an interdepartmental transfer to the department of law enforcement for payroll costs of sheriffs. Similarly, section 3 of Act 70, Session Laws of Hawaii 2023, as amended by Act 233, Session Laws of Hawaii 2024, appropriated general funds in fiscal year 2024-2025 to the judiciary for an interdepartmental transfer to the department of law enforcement for payroll costs of sheriffs.

While appropriations for payroll costs out of the general fund exclude fringe benefit costs, fringe benefits must be included if an appropriation for an interdepartmental transfer is used to fund positions. Because these aforementioned appropriation amounts did not include fringe benefits, a critical funding shortage exists, and additional funds must be appropriated to cover fringe benefit costs for affected law enforcement personnel of the department of law enforcement.

The purpose of this Act is to make emergency appropriations to the department of accounting and general services and the judiciary to provide funds to cover payroll and fringe benefits of affected law enforcement personnel.

SECTION 3. There is appropriated out of the general revenues of the State of Hawaii the sum of \$2,480,509 or so much thereof as may be necessary in fiscal year 2024-2025 for an interdepartmental transfer from the department of accounting and general services to the department of law enforcement for personnel costs, including payroll and fringe benefits.

The sum appropriated shall be expended by the department of accounting and general services for the purposes of this Act.

SECTION 4. There is appropriated out of the general revenues of the State of Hawaii the sum of \$4,673,616 or so much thereof as may be necessary in fiscal year 2024-2025 for an interdepartmental transfer from the judiciary to the department of law enforcement for personnel costs, including payroll and fringe benefits.

The sum appropriated shall be expended by the judiciary for the purposes of this Act.

SECTION 5. There is appropriated out of interdepartmental transfer funds the sum of \$7,154,125 or so much thereof as may be necessary for fiscal year 2024-2025 for personnel costs, including payroll and fringe benefits.

The sum appropriated shall be expended by the department of law enforcement.

SECTION 6. In accordance with section 9 of article VII of the Constitution of the State of Hawaii and sections 37-91 and 37-93, Hawaii Revised Statutes, the legislature has determined that at the beginning of the regular session of 2025, the general fund expenditure ceiling for fiscal year 2024-2025 was exceeded by \$8,551,795, or one per cent. The appropriations contained in Act 1, Session Laws of Hawaii 2025, caused the general fund expenditure ceiling for fiscal year 2024-2025 to be further exceeded by an additional \$30,334,159. Therefore, the general fund expenditure ceiling for fiscal year 2024-2025 has already been exceeded by \$38,885,954, or one per cent.

The appropriations contained in this Act will cause the general fund expenditure ceiling for fiscal year 2024-2025 to be further exceeded by \$7,154,125, or one per cent. This declaration takes into account the additional general fund appropriations authorized for fiscal year 2024-2025 in this Act only. The reasons for exceeding the general fund expenditure ceiling are that the appropriations made in this Act are necessary to serve the public interest and to meet the needs addressed by this Act.

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SECTION 7. This Act shall take effect upon its approval.
(Approved May 14, 2025.)