

JAN 21 2011

S.B. NO. 191

A BILL FOR AN ACT

RELATING TO EMPLOYMENT SECURITY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Chapter 383, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§383- Self-employment assistance programs. (a) The
5 director shall maintain a list of self-employment assistance
6 programs and shall inform individuals identified as likely to
7 exhaust their benefits under this program of the opportunity to
8 enroll in the programs.

9 (b) For the purpose of this section, "self-employment
10 assistance program" means a program to encourage and enable
11 unemployed workers to create their own jobs by starting their
12 own small businesses.

13 A self-employment assistance program may include existing
14 community college self-employment training programs; and work
15 force investment boards or other organizations that include
16 entrepreneurial training, business counseling, technical
17 assistance, and requirements to engage in activities relating to
18 the establishment of a business and becoming self-employed.



1 (c) Any unemployed individual shall be eligible to
2 participate in a self-employment assistance program if the
3 director determines that the person:

- 4 (1) Is otherwise eligible for benefits under this chapter;
5 and
6 (2) Is identified by the director as likely to exhaust the
7 person's benefits.

8 (d) Any individual participating in a self-employment
9 assistance program under this section shall continue to be
10 eligible to receive benefits and shall be deemed to be
11 unemployed for the purposes of this chapter.

12 (e) Sections 383-29 and 383-30 shall not apply to the
13 first fifty-two weeks of an individual's participation in a
14 self-employment assistance program; provided that enrollment in
15 a self-employment assistance program shall not entitle the
16 enrollee to any benefits that the enrollee would not otherwise
17 have been entitled to receive without enrolling in the program.

18 (f) Any individual who fails to satisfactorily participate
19 in a self-employment assistance program shall be disqualified
20 from the program.



1 (g) An individual may not directly compete professionally
2 with the individual's separating employer for a period of one
3 year after completing the program.

4 (h) The director shall ensure the collaborative
5 involvement of all interested parties in the program's
6 development and compliance with all federal criteria for
7 withdrawal from the unemployment fund.

8 (i) The director shall not be obligated under this section
9 to expend any departmental funds for the operation of self-
10 employment assistance programs, unless specific funding is
11 provided to the department for that purpose by the federal or
12 state governments.

13 (j) The director may adopt rules pursuant to chapter 91 to
14 effectuate this section."

15 SECTION 2. New statutory material is underscored.

16 SECTION 3. This Act shall take effect on July 1, 2011.

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INTRODUCED BY:

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Report Title:

Employment Security; Self-Employment Assistance Program

Description:

Establishes self-employment assistance programs and entitles unemployed individuals participating in a self-employment assistance program to continue to receive unemployment benefits.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

