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A BILL FOR AN ACT

RELATING TO EMPLOYMENT PRACTICES.

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

1 SECTION 1. Section 378-27, Hawaii Revised Statutes, is  
2 amended to read as follows:

3 "[~~+~~]**§378-27**[~~+~~] **Exception.** Nothing in this part shall be  
4 deemed to:

- 5 (1) Repeal or affect any law or ordinance or government  
6 rule or regulation having the force and effect of law;
- 7 (2) Apply to lie detector tests administered by any law  
8 enforcement agency[~~+~~] or the department of public  
9 safety;
- 10 (3) Apply to the United States and any subdivision  
11 thereof;
- 12 (4) Conflict with or affect the application of security  
13 regulations in employment established by the United  
14 States or the State; or
- 15 (5) Apply to psychological tests administered by a law  
16 enforcement agency or the department of public safety  
17 to determine the suitability of a candidate for

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1 employment with the law enforcement agency[-] or the  
2 department of public safety."

3 SECTION 2. This Act shall apply to any suitability  
4 assessments in process and pending on the effective date of this  
5 Act.

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 Statutory material to be repealed is bracketed  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

8 SECTIOM 4. This Act, upon its approval, shall take effect  
9 on July 1, 2016.

10 INTRODUCED BY  \_\_\_\_\_

11 BY REQUEST

12 JAN 25 2016

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**Report Title:**

Employment Practices

**Description:**

Adds the Department of Public Safety to the exceptions for the use of lie detector tests and psychological tests.

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

JUSTIFICATION SHEET

DEPARTMENT: Public Safety

TITLE: A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES.

PURPOSE: To include the Department of Public Safety as an applicable exception under section 378-27, Hawaii Revised Statutes (HRS).

MEANS: Amend section 378-27, Hawaii Revised Statutes (HRS).

JUSTIFICATION: The Department of Public Safety is an agency that manages both law enforcement and corrections divisions. The change will clarify that the exception applies to both divisions within the Department of Public Safety.

Impact on the public: Increase the quality of applicants seeking employment with the Department of Public Safety.

Impact on the department and other agencies: None.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM DESIGNATION: PSD 900.

OTHER AFFECTED AGENCIES: None.

EFFECTIVE DATE: July 1, 2016.