
A BILL FOR AN ACT

RELATING TO A LAW ENFORCEMENT EMPLOYMENT STANDARDS AND TRAINING BOARD.

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

1 SECTION 1. The legislature finds that Hawaii is the only
2 state in the country without a statewide board for law
3 enforcement employment standards or training. Given the immense
4 power and authority that the State and counties grant to police,
5 sheriffs, and other law enforcement officers who carry firearms,
6 it is important to establish recommended statewide standards for
7 these officers. These standards will benefit county and state
8 departments and agencies, as well as the general public.

9 Accordingly, the purpose of this Act is to establish an
10 advisory law enforcement employment standards and training board
11 responsible for recommending statewide standards for employment
12 and training to be implemented by state and county government
13 agencies for their law enforcement officers who carry firearms
14 and wear badges.



1 SECTION 2. The Hawaii Revised Statutes is amended by
2 adding a new chapter to be appropriately designated and to read
3 as follows:

4 "CHAPTER

5 ADVISORY LAW ENFORCEMENT EMPLOYMENT STANDARDS AND TRAINING BOARD

6 § -1 Definitions. As used in this chapter, unless the
7 context clearly indicates otherwise, the following terms shall
8 mean as follows:

9 "Advisory board" means the advisory law enforcement
10 employment standards and training board.

11 "Law enforcement officer" means:

- 12 (1) A police officer employed by a county police
- 13 department who wears a badge and carries a firearm;
- 14 (2) A public safety officer employed by the department of
- 15 public safety who wears a badge and carries a firearm;
- 16 (3) An employee of the department of transportation or the
- 17 department of land and natural resources who wears a
- 18 badge and carries a firearm; or
- 19 (4) An employee of a government agency's vendor or
- 20 contractor who is permitted to wear a badge and carry
- 21 a firearm.



1 § -2 Creation of advisory law enforcement employment
2 standards and training board; composition. (a) There is
3 created in the department of the attorney general, for
4 administrative purposes only, the advisory law enforcement
5 employment standards and training board. The advisory board
6 shall consist of the following voting members:

- 7 (1) The state sheriff or the sheriff's designee;
- 8 (2) Two members of the public not currently employed by a
9 government agency, one of whom shall have a background
10 in criminal justice, who shall be appointed by the
11 governor, in accordance with section 26-34;
- 12 (3) Two members of the public not currently employed by a
13 government agency, one of whom shall have a legal
14 background, who shall be appointed by the governor
15 from a list of two nominees submitted by the president
16 of the senate; and
- 17 (4) Two members of the public not currently employed by a
18 government agency, one of whom shall have a background
19 in human resources management, who shall be appointed
20 by the governor from a list of two nominees submitted
21 by the speaker of the house of representatives.



1 In addition, the governor shall invite the chiefs of police
2 of the four counties or their designees to be voting members of
3 the advisory board.

4 (b) The terms of the members shall end on June 30, 2021.

5 (c) The advisory board shall select a chairperson from
6 among its members; provided that the chairperson shall not be a
7 current law enforcement officer.

8 (d) When a vacancy occurs on the advisory board, the
9 successor shall be appointed in the same manner as the
10 predecessor member who vacated a position on the advisory board.

11 § -3 Duties. (a) Between January 1, 2017, and
12 September 30, 2018, the advisory board shall hold meetings at
13 least once every quarter; provided that the meetings shall be
14 open to the public in accordance with chapter 92.

15 (b) By January 7, 2019, the advisory board shall propose
16 recommendations for statewide employment standards and training
17 for law enforcement officers who wear badges and carry firearms.
18 The proposed standards and training recommendations may include
19 but not be limited to age requirements, education requirements,
20 criminal background checks, hearing tests, eye examinations,
21 psychological tests, physical ability tests, and other



1 requirements necessary to become a law enforcement officer. The
2 advisory board may work or collaborate with existing law
3 enforcement agencies to develop the proposed employment
4 standards and training recommendations. The advisory board
5 shall make the proposed standards and training recommendations
6 available for public review and comment for a period of not less
7 than ninety days. The advisory board shall hold at least two
8 public hearings on the proposed standards and training
9 recommendations by March 31, 2019.

10 (c) After the period of public review and comment, the
11 advisory board shall adopt final statewide employment standards
12 and training recommendations and transmit them to relevant
13 government agencies by July 31, 2019.

14 (d) Beginning July 31, 2019, the advisory board shall meet
15 at least twice a year to review the statewide employment
16 standards and training recommendations and extent of
17 implementation by the relevant government agencies.

18 § -4 Employment standards and training recommendations;
19 voluntary implementation. Each government agency may
20 voluntarily implement the employment standards and training



1 recommendations for its law enforcement officers who wear badges
2 and carry firearms.

3 § -5 No county mandate. Nothing in this chapter shall
4 be construed to require a political subdivision of this State to
5 undertake a new program or increase the level of service of an
6 existing program that would require cost sharing by the State
7 under article VIII, section 5, of the Constitution of the State
8 of Hawaii.

9 If any provision of this chapter is deemed to be such a
10 mandate upon a political subdivision, the provision shall be
11 void and no longer in effect.

12 § -6 Termination of advisory board. On June 30, 2021,
13 the advisory board shall terminate."

14 SECTION 3. There is appropriated out of the general
15 revenues of the State of Hawaii the sum of \$ or so much
16 thereof as may be necessary for fiscal year 2016-2017 for the
17 operation of the advisory law enforcement employment standards
18 and training board.

19 The sum appropriated shall be expended by the department of
20 the attorney general for the purposes of this Act.



1 SECTION 4. This Act does not affect rights and duties that
2 matured, penalties that were incurred, and proceedings that were
3 begun before its effective date.

4 SECTION 5. This Act shall take effect on January 7, 2059,
5 and shall be repealed on June 30, 2021.



Report Title:

Advisory Law Enforcement Employment Standards and Training Board; Law Enforcement Employment Standards and Training Recommendations; Appropriation

Description:

Establishes a temporary advisory law enforcement employment standards and training board with the responsibility of developing statewide employment standards and training recommendations for law enforcement officers who carry firearms and wear a badge. Allows the relevant government agencies to voluntarily implement the employment standards and training recommendations. (SB2755 HD1)

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