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# A BILL FOR AN ACT

RELATING TO SPECIAL DUTY FOR DEPUTY SHERIFFS.

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

1           SECTION 1. The legislature finds that deputy sheriffs  
2 routinely serve the community by providing off-duty law  
3 enforcement service, commonly known as "special duty", for  
4 monetary compensation to persons, organizations, and government  
5 entities other than the state department of public safety.  
6 Therefore, the legislature finds it is appropriate to include  
7 statutory authorization for special duty performed by deputy  
8 sheriffs.

9           The purpose of this Act is to require the department of  
10 public safety to:

- 11           (1) Develop policies and procedures to govern the  
12                 processing of requests for special duty;
- 13           (2) Establish a compensation schedule for deputy sheriffs  
14                 performing special duty; and
- 15           (3) Submit a report to the legislature on policies and  
16                 procedures, amounts paid for deputy sheriffs  
17                 performing special duty, and compensation received by  
18                 each deputy sheriff for special duty.



1 SECTION 2. (a) The department of public safety shall:

2 (1) Develop policies and procedures to govern the  
3 processing of requests for special duty; and

4 (2) Establish the compensation schedule for law  
5 enforcement services provided by deputy sheriffs  
6 performing special duty.

7 (b) For purposes of this Act, "special duty" means the  
8 performance of a service for a person, organization, or  
9 governmental entity other than the department of public safety,  
10 by a deputy sheriff of the sheriff division acting in a law  
11 enforcement capacity, in return for which the deputy sheriff  
12 receives a direct or indirect payment or compensation of some  
13 kind.

14 SECTION 3. (a) In order for the legislature to determine  
15 whether this Act should be extended beyond its repeal date of  
16 June 30, 2018, the department of public safety shall submit a  
17 report to the legislature by February 1, 2018, that provides the  
18 following information:

19 (1) The policies and procedures established pursuant to  
20 this Act;



- 1 (2) Amounts paid by state departments and agencies for  
2 deputy sheriffs performing special duty; and
- 3 (3) The compensation received by deputy sheriffs  
4 performing special duty for governmental entities,  
5 persons, or organizations.
- 6 (b) More specifically, the report shall include:
- 7 (1) The policies and procedures for deputy sheriffs  
8 performing special duty as established pursuant to  
9 this Act, including the compensation charged for  
10 special duty and the process by which deputy sheriffs  
11 are selected for special duty;
- 12 (2) The difference between the current policies and  
13 procedures and the former policies and procedures;
- 14 (3) Separately for fiscal year 2016-2017 and the fiscal  
15 period July 1, 2017, to December 31, 2017, the amounts  
16 paid by state departments and agencies to deputy  
17 sheriffs performing special duty during normal state  
18 office hours (7:45 a.m. to 4:45 p.m., Monday to  
19 Friday) and outside of normal state office hours;
- 20 (4) The reasons that the sheriffs' division does not  
21 assign deputy sheriffs performing regular duty to



1 state departments and agencies that need security  
2 during normal state office hours;

3 (5) The following information for each deputy sheriff (by  
4 position title and number and without name) who has  
5 performed special duty during fiscal year 2017-2018  
6 and the fiscal period July 1, 2017, to December 31,  
7 2017:

8 (A) The total special duty compensation received,  
9 with a breakout for compensation received from  
10 state departments and agencies for special duty  
11 during normal state office hours, compensation  
12 received from state departments and agencies for  
13 special duty outside of normal state office  
14 hours, and compensation received for other  
15 special duty;

16 (B) The number of hours of special duty, with the  
17 same breakouts as under subparagraph (A); and

18 (C) The percentage of special duty pay to base  
19 salary; and



1           (6) A comparison between county police department special  
2           duty rates and the department of public safety special  
3           duty rates for each county.

4           SECTION 4. This Act shall take effect upon its approval,  
5 and shall be repealed on June 30, 2018.



**Report Title:**

Deputy Sheriffs; Special Duty

**Description:**

Requires the Department of Public Safety to develop policies and procedures to govern the processing of requests for special duty and to establish a compensation schedule for law enforcement services provided by deputy sheriffs performing special duty. Requires a report to the legislature. Repeals on June 30, 2018. (HB1129 CD1)

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

