
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



1 performing special duty, and compensation received by
2 each deputy sheriff for special duty.

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

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

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

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

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



- 1 (1) The policies and procedures established pursuant to
2 this Act;
- 3 (2) Amounts paid by state departments and agencies for
4 deputy sheriffs performing special duty; and
- 5 (3) The compensation received by deputy sheriffs
6 performing special duty for governmental entities,
7 persons, or organizations.
- 8 (b) More specifically, the report shall include:
- 9 (1) The policies and procedures for deputy sheriffs
10 performing special duty as established pursuant to
11 this Act, including the compensation charged for
12 special duty and the process by which deputy sheriffs
13 are selected for special duty;
- 14 (2) The difference between the current policies and
15 procedures and the former policies and procedures;
- 16 (3) Separately for fiscal year 2016-2017 and the fiscal
17 period July 1, 2017, to December 31, 2017, the amounts
18 paid by state departments and agencies to deputy
19 sheriffs performing special duty during normal state
20 office hours (7:45 a.m. to 4:45 p.m., Monday to
21 Friday) and outside of normal state office hours;



- 1 (4) The reasons that the sheriffs' division does not
2 assign deputy sheriffs performing regular duty to
3 state departments and agencies that need security
4 during normal state office hours;
- 5 (5) The following information for each deputy sheriff (by
6 position title and number and without name) who has
7 performed special duty during fiscal year 2017-2018
8 and the fiscal period July 1, 2017, to December 31,
9 2017:
- 10 (A) The total special duty compensation received,
11 with a breakout for compensation received from
12 state departments and agencies for special duty
13 during normal state office hours, compensation
14 received from state departments and agencies for
15 special duty outside of normal state office
16 hours, and compensation received for other
17 special duty;
- 18 (B) The number of hours of special duty, with the
19 same breakouts as under subparagraph (A); and
- 20 (C) The percentage of special duty pay to base
21 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 on July 1, 2099, and
5 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. Effective 7/1/2099. Repeal on 6/30/2018. (HB1129 SD1)

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