

JAN 17 2020

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# A BILL FOR AN ACT

RELATING TO CORRECTIONS.

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

1           SECTION 1. Section 352-16, Hawaii Revised Statutes, is  
2 amended by amending subsection (c) to read as follows:

3           "(c) Employment under such a work release plan ~~[may]~~ shall  
4 be at a wage no less than the federal minimum wage ~~[authorized~~  
5 ~~in chapter 387; provided that no more than five hours of a~~  
6 ~~person's workweek shall be paid at wages less than the minimum~~  
7 ~~wage]."~~

8           SECTION 2. Section 352-17, Hawaii Revised Statutes, is  
9 amended to read as follows:

10           "**§352-17 Compensation in facilities.** The director may  
11 provide, in accordance with rules and regulations adopted by the  
12 director, for the payment of compensation, which shall not be  
13 considered as wages, for work performed by a person placed in a  
14 youth correctional facility while in such facility and not  
15 participating in a work release plan under section 352-16 ~~[+]~~;  
16 provided that the compensation paid to a person placed in a  
17 youth correctional facility shall be no less than the federal



1 minimum wage. The compensation shall be credited to the account  
2 of such person."

3 SECTION 3. Section 353-18, Hawaii Revised Statutes, is  
4 amended to read as follows:

5 "§353-18 Director to fix committed persons' compensation.  
6 The director, by rule, may classify, grade, and fix earnings to  
7 be paid to committed persons who may be confined in any  
8 correctional facility of the State[-]; provided that the  
9 compensation paid to a committed person shall be no less than  
10 the federal minimum wage."

11 SECTION 4. Section 353-19, Hawaii Revised Statutes, is  
12 amended to read as follows:

13 "§353-19 Compensation for labor or training by committed  
14 persons. Every committed person, who is working within a state  
15 correctional facility or who is in such training or educational  
16 programs as the director or a designated agent pursuant to law  
17 prescribes, may be allowed such graduated sums of money as the  
18 director by policy determines[-]; provided that the compensation  
19 paid to a committed person shall be no less than the federal  
20 minimum wage. Any committed person, other than persons on work  
21 furlough, engaged in work, training, or education pursuant to



1 this section or work pursuant to this chapter or chapter 354D  
2 shall not be considered an employee or in employment."

3 SECTION 5. Statutory material to be repealed is bracketed  
4 and stricken. New statutory material is underscored.

5 SECTION 6. This Act shall take effect upon its approval.

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INTRODUCED BY:

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# S.B. NO. 2651

**Report Title:**

Committed Person; Committed Youths; Federal Minimum Wage

**Description:**

Requires that a committed person and committed youth be paid no less than the federal minimum wage when working in the State.

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

