

JAN 21 2022

A BILL FOR AN ACT

RELATING TO SELECTIVE SERVICE.

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

1 SECTION 1. The legislature recognizes that sufficient
2 strength in armed forces must be achieved and maintained to
3 ensure the security of the United States. In a free society,
4 the obligations and privileges of serving in the armed forces
5 and their reserve components should be shared in accordance with
6 a system of selection that is fair, just, and consistent with
7 maintaining an effective national economy.

8 The legislature finds that to achieve these national
9 security goals, the United States Congress has enacted the
10 United States Military Selective Service Act, title 50 United
11 States Code sections 3801 et seq., which requires all male
12 citizens and male residents of the United States, except for
13 lawfully admitted non-immigrants, to register with the Selective
14 Service System upon reaching the age of eighteen.

15 The legislature further finds that any person who is not in
16 compliance with the Military Selective Service Act is ineligible



1 for federal student financial assistance and employment within
2 the executive branch of the federal government.

3 The purpose of this Act is to require compliance with the
4 Military Selective Service Act for an individual to enroll in a
5 state-supported post-secondary educational institution, qualify
6 for state financial assistance for post-secondary education, or
7 be eligible for employment by or service for the State or any of
8 its political subdivisions.

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

12 **"CHAPTER**

13 **SELECTIVE SERVICE REGISTRATION AWARENESS AND COMPLIANCE ACT**

14 § -1 Short title. This chapter shall be known as the
15 "Selective Service Registration Awareness and Compliance Act".

16 § -2 Definitions. As used in this chapter, "Military
17 Selective Service Act" means title 50 United States Code
18 sections 3801 et seq.

19 § -3 Compliance; post-secondary education enrollment and
20 financial assistance. (a) Notwithstanding any law to the



1 contrary, any person who is not in compliance with the Military
2 Selective Service Act shall not be:

3 (1) Permitted to enroll in, or receive education from, a
4 state-supported post-secondary educational
5 institution, including a university, college,
6 community college, professional school, research
7 facility, education center, or institution within the
8 University of Hawaii system; and

9 (2) Eligible to receive a loan, grant, scholarship, or
10 other financial assistance for post-secondary
11 education that is provided, supported, or guaranteed
12 by the State.

13 (b) The University of Hawaii shall require that all
14 enrollees and persons who otherwise receive education under its
15 jurisdiction comply with the Military Selective Service Act for
16 the purposes of this section.

17 § -4 Compliance; state and county employment and
18 service. (a) Notwithstanding any law to the contrary, any
19 person who is not in compliance with the Military Selective
20 Service Act shall not be eligible for:



(1) Employment by the State or any of its political subdivisions; and

(2) Service for the State or any of its political subdivisions, including all offices, self-governing bodies, boards and commissions, departments, agencies, institutions, and instrumentalities.

(b) The State and its political subdivisions shall ensure that employees under their jurisdiction comply with the Military Selective Service Act for the purposes of this section.

§ -5 Exceptions. A person shall not be denied a right, privilege, or benefit under this chapter for noncompliance with the Military Selective Service Act if the person is:

(1) Under eighteen years of age;

(2) At least twenty-six years of age and was in compliance prior to attaining twenty-six years of age;

(3) Serving in the armed forces of the United States on active duty, other than in a reserve or National Guard unit, or has already served in the armed forces or has a condition that would preclude acceptability for military service;



(4) Neither a United States citizen nor a resident

immigrant;

(5) A permanent resident of the Trust Territory of the

Pacific Islands or the Northern Mariana Islands; or

(6) Excused from registration for any other reason

pursuant to the Military Selective Service Act and

that reason is set forth in a written statement.

§ -6 **Severability.** If any provision of this chapter, or the application thereof to any person or circumstance, is held invalid, the invalidity does not affect other provisions or applications of the chapter that can be given without the invalid provision or application, and to this end the provisions of this chapter are severable."

SECTION 3. This Act shall take effect on July 1, 2022.

INTRODUCED BY:

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S.B. NO. 2364

Report Title:

Selective Service Registration Awareness and Compliance Act

Description:

Requires compliance with the federal Military Selective Service Act for an individual to enroll in a state-supported post-secondary educational institution; qualify for state financial assistance for post-secondary education; or be eligible for employment by or service for the State or any of its political subdivisions. Provides exceptions.

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