
A BILL FOR AN ACT

RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM.

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

1 SECTION 1. Section 88-21.5, Hawaii Revised Statutes, is
2 amended by amending subsection (b) to read as follows:

3 "(b) For a member who becomes a member after June 30,
4 2012, unless a different meaning is plainly required by context,
5 "compensation" as used in this part:

6 (1) Means:

7 (A) The normal periodic payments of money for
8 service, the right to which accrues on an hourly,
9 daily, monthly, or annual basis;

10 (B) Shortage differentials;

11 (C) Elective salary reduction contributions under
12 sections 125, 403(b), and 457(b) of the Internal
13 Revenue Code of 1986, as amended; [~~and~~]

14 (D) Twelve-month differentials for employees of the
15 department of education; and

16 (E) Overtime; provided that overtime shall only be
17 considered compensation when an employee has been



H.B. NO. 1644

1 directed by their supervisor or an appropriate
2 authority to work more than their normal hours of
3 service to perform specific duties and tasks
4 related to an active emergency proclamation
5 issued pursuant to chapter 127A; provided further
6 that starting July 1, 2024, overtime shall be
7 included in the pension calculations for all
8 active and future employees; and

9 (2) Shall not include any other additional or extra
10 payments to an employee or officer, [~~including~~
11 ~~overtime,~~] supplementary payments, bonuses, lump sum
12 salary supplements, allowances, or differentials,
13 including differentials for stand-by duty, temporary
14 unusual work hazards, compression differentials, or
15 temporary differentials, except for those expressly
16 authorized pursuant to subsection (b) (1) (B),
17 (b) (1) (C), and (b) (1) (D)."

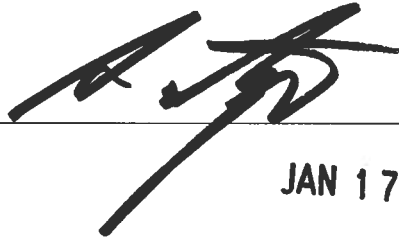
18 SECTION 2. Statuary material to be repealed is bracketed
19 and stricken. New statutory material is underscored.

20 SECTION 3. This Act shall take effect on July 1, 2024.

21

H.B. NO. 1644

INTRODUCED BY:



JAN 17 2024



H.B. NO. 1644

Report Title:

Employees' Retirement System; Overtime; Compensation; Definition

Description:

For members of the Employees' Retirement System hired after July 1, 2012, includes overtime in the definition of compensation when an employee has been directed by their supervisor or an appropriate authority to work more than their normal hours of service to perform specific duties and tasks related to an active emergency proclamation.

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

