
A BILL FOR AN ACT

RELATING TO THE HAWAII NATIONAL GUARD.

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

1 SECTION 1. Chapter 88, Hawaii Revised Statutes, is amended
2 by adding a new section to part II to be appropriately
3 designated and to read as follows:

4 "§88- Service of Hawaii national guard members on state
5 active duty; exempt from mandatory enrollment. (a)
6 Notwithstanding section 88-42 or any other applicable sections
7 in this part, VII, or VIII, members of the Hawaii national guard
8 ordered into active duty to provide services to the State shall
9 be ineligible for membership in the system based on the active
10 duty.

11 (b) This section shall not preclude any member of the
12 Hawaii national guard who is an employee of the State or any
13 county, in a position other than as a member of the Hawaii
14 national guard ordered into active duty to provide services to
15 the State, from membership in the system pursuant to section 88-
16 42, or being credited with membership service credit for active
17 military service pursuant to sections 88-132 and 88-132.5.



1 (c) For the purposes of this section, "active duty" means
2 a duty in the active service ordered by the governor or the
3 governor's designated representative to provide services to the
4 State in a time of emergency as prescribed under sections 121-29
5 and 121-30."

6 SECTION 2. Section 121-29, Hawaii Revised Statutes, is
7 amended to read as follows:

8 "§121-29 **Active service.** Active service is active duty,
9 any other duty, or service done under or in pursuance of an
10 order or call of the President of the United States or an order
11 of the governor. Any officer or body of troops while on active
12 service may be relieved from duty by order of the proper
13 authority."

14 SECTION 3. New statutory material is underscored.

15 SECTION 4. This Act shall take effect on July 1, 2042.



Report Title:

Militia; National Guard; Active Duty; Employees' Retirement System; Ineligible

Description:

Makes Hawaii National Guard service members activated by the Governor or the Governor's designated representative to state active duty ineligible for enrollment in the Employees' Retirement System based on the active duty. Takes effect 7/1/2042. (SD1)

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

