

ACT 304

H.B. NO. 2491

A Bill for an Act Relating to the Hawaii Employer-Union Health Benefits Trust Fund.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. Chapter 87A, Hawaii Revised Statutes, is amended by adding a new section to part IV to be appropriately designated and to read as follows:

**“§87A- Other post-employment benefits trust.** Notwithstanding sections 87A-31 and 87A-31.5, the board, upon terms and conditions set by the board, may establish and administer a separate trust fund for the purpose of receiving employer contributions that will prefund other post-employment health and other benefit plan costs for retirees and their beneficiaries. If a fund is estab-

lished, it shall meet the requirements of the Government Accounting Standards Board regarding other post-employment benefits trusts. Employer contributions to the separate trust fund shall be irrevocable, all assets of the fund shall be dedicated exclusively to providing health and other benefits to retirees and their beneficiaries, and assets of the fund shall not be subject to appropriation for any other purpose and shall not be subject to claims by creditors of the employers or the board or plan administrator. The board's powers under section 87A-24 shall also apply to any fund established pursuant to this section.”

SECTION 2. This Act shall not bind or require the State or counties to make any particular level of contributions to the Hawaii employer-union health benefits trust fund now or in the future, but only authorizes the board of trustees of the Hawaii employer-union health benefits trust fund to create a separate trust fund for the purpose of receiving contributions that meets the requirements of the Government Accounting Standards Board regarding health and other post-employment benefits trusts.

SECTION 3. New statutory material is underscored.<sup>1</sup>

SECTION 4. This Act shall take effect upon its approval.

(Approved July 9, 2012.)

**Note**

1. Edited pursuant to HRS §23G-16.5.