

ACT 9

H.B. NO. 1282

A Bill for an Act Relating to Military Service.

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

SECTION 1. In 2005, the legislature passed Act 21, which provided for a Hawaii medal of honor to express the deep appreciation and gratitude of the people of Hawaii to the loved ones of members of the military who sacrificed their lives in defense of our nation and its freedom. Since 2006, there have been more than two hundred forty recipients of the Hawaii medal of honor.

The purpose of this Act is to clarify the eligibility requirements for the Hawaii medal of honor.

SECTION 2. Section 5-22, Hawaii Revised Statutes, is amended as follows:

1. By amending its title and subsection (a) to read:

“[§5-22] Hawaii medal of honor. (a) The Hawaii medal of honor may be awarded on behalf of the people of the State of Hawaii to an individual who has been killed in action[;] while:

- (1) Engaged in an action against an enemy of the United States;
- (2) Engaged in military operations involving conflict with an opposing foreign force;
- (3) Serving with friendly foreign forces engaged in an armed conflict against an opposing armed force in which the United States is not a belligerent party; [or]

ACT9

- (4) Serving in a combat zone as designated by presidential order[-];
- (5) Serving in direct support of military operations in a combat zone if that service is designated as such by the United States Department of Defense; or
- (6) Performing duty subject to hostile fire or imminent danger if that duty qualifies the individual for special military pay as determined by the United States Department of Defense.”

2. By amending subsection (c) to read:

“(c) Individuals eligible to receive the Hawaii medal of honor include:

- (1) Members of the Hawaii national guard who were legal residents of Hawaii and were activated into service at the time they were killed in action;
- (2) Members of the United States military reserves who were legal residents of Hawaii and were activated into service at the time they were killed in action;
- (3) Members of the regular United States armed forces who were:
 - (A) Legal residents of Hawaii at the time they were killed in action; or
 - (B) Stationed in Hawaii by a proper order of the United States Department of Defense at the time they were killed in action; and
- (4) Members of the Hawaii national guard[;] or United States military reserves who were activated into service, or members of the regular United States armed forces, who:
 - (A) Attended a public or private educational institution in Hawaii at some period during their lives; and
 - (B) Were killed in action.”

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

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

(Approved April 10, 2013.)