

February 6, 2015

2015 - Employment Bills Introduced

Employment Practices and Employment Rights

- HB 9 **Paid Sick Leave** – Requires employers to provide one hour of paid sick leave for every 30 hours worked, if the employee works in the State for more than 80 hours in a year. Accrual is capped at 56 hours unless the employer provides a higher limit. Presumes that employees who are classified as exempt work 40 hours per week, unless the normal work week is less than 40 hours. Employee shall be entitled to take paid sick leave beginning on the 19th calendar day following commencement of employment. Provides for carryover of sick leave. Exempts employers who already provide sick leave that matches this proposed law. Paid sick leave may be available (1) for employees own illness, (2) to care for a family member with an illness, (3) due to closure of the employee’s place of business by public order, (4) to care for child whose school or place of care has been closed by public order, (5) to care for a family member whose presence in the community would jeopardize the health of others due to a communicable disease. Requires notice of such leave to be provided to employees, either individually or through a posting, as well as records retention of hours worked and leave provided for five years.
- HB 244 **Discrimination Against Users of Tobacco or E-Cigarettes** – Prohibits employment discrimination against individuals on the basis of tobacco or electronic cigarette use outside of working hours. House version exempts any organizations whose primary purpose is to discourage the use of tobacco products by the general public. Senate version provides such an exemption only for non-profit organizations.
- HB 390 **Non-Compete Agreements; Licensed Physicians** – Prohibits the use of non-compete and non-solicitation agreements with regards to a licensed physician, whether in an employment contract, post-employment contract, or separation agreement.
- HB 496 **Family Leave Insurance Program; Trust Fund** – Establishes a family leave insurance program, which requires employees to make contributions based on their average weekly wages into a trust fund to be used to provide employees with family leave insurance benefits. Increases Hawaii family leave from 4 weeks to 12 weeks per calendar year. Expands family leave to include coverage for foster children, grandchildren, a “designated person,” and leave for “qualifying exigencies.” Appropriates funds to DLIR to implement the program. Applies to employers with one or more employees.
- HB 535 **Family Leave; Partial Wage Replacement Trust Fund** – Expands Hawaii family leave law to 12 weeks. Specifies that leave may be taken to care for the employee’s child within 12 months of the child’s birth, foster placement or placement for adoption with the employee. Establishes partial wage replacement for leave trust fund through employee wage withholdings to be used for weeks of family leave that are unpaid. Applies to employers with one or more employees.
- HB 561 **Social Media Privacy** – Prohibits employers from requiring or requesting employees and job applicants to (1) disclose login credentials to a personal social media account; (2) access a personal social media account in the presence of the employer; and (3) divulge information from any personal social media account. Provides exceptions in the course of an investigation for ensuring compliance with laws or work rules, or of an employee’s actions based on receipt of specific information about the unauthorized transfer of an employer’s proprietary information, confidential information, or financial data to a personal online account or personal online service. Provides exceptions for electronic communications devices supplied by the

employer or traveling/stored through an employer's network, or for social media accounts maintained for the employer's business purposes.

- HB 684 **Workplace Harassment and Discrimination; Affirmative Defense** – Provides that it shall be unlawful
SB 1012 for a supervisor or employer to take an adverse employment action against an employee because of the employee's membership in a protected class. Outlines when an employer shall be liable for a supervisor's discriminatory conduct. In cases where an employee did not suffer from an adverse employment action, provides an affirmative defense where the employer exercised reasonable care to prevent or correct the supervisor's actions and the employee either unreasonably failed to take advantage of the employer's preventative or corrective measures, or unreasonably failed to avoid harm.
- HB 685 **Layoffs; Notification** – Requires all employers that employ individuals on a non-temporary basis to provide notice to the employees at least 30 days in advance of any planned layoff, provided that the layoff is not the result of lawful disciplinary action taken against an employee.
- HB 795 **Employment Discrimination Prohibited; Medical Marijuana Usage** – Prohibits an employer from
SB 1291 disciplining, suspending, discharging, or discriminating against an employee who is a patient qualified to use medical marijuana solely because the employee tested positive for marijuana use. Provides that employees do not have a right to use medical marijuana in the workplace or to be under the influence of marijuana while working in the workplace of the employee's employment.
- HB 1047 **Paid Sick Leave** – Requires employers to provide one hour of paid sick leave to employees who work in
SB 1025 the State for every 30 hours worked. The maximum hours accrued is 56 hours per calendar year for employers with 10 or more employees and 40 hours per year for employers with less than 10 employees. Presumes that employees who are classified as exempt work 40 hours per week, unless the normal work week is less than 40 hours. Allows employees to use paid sick leave as it is accrued. Does not require employers to allow employees to carry over sick leave or to payout employees for unused sick leave upon termination of employment. Allows employees to use paid sick leave for absences from work due to (1) an employee's own illness; (2) a family member's illness; (3) closure of the employee's place of business or child's school by public order; and (4) absence due to domestic violence, sexual assault or stalking, for certain purposes. Paid sick leave shall be provided upon oral request of an employee and may be used in smaller than hourly increments or the smallest increment the employer's payroll system uses. Reasonable documentation for the sick leave may be required is an employee uses sick leave for more than three consecutive workdays. Prohibits retaliation for using sick leave. Requires notice and posting of rights and records of hours worked and sick leave taken.
- HB 1090 **Non-Compete Agreements; Technology Businesses** – Prohibits non-compete agreements and restrictive
SB 1279 covenants that forbid post-employment competition of employees of a technology business. Defines "technology business" as one that derives the majority of its revenue from software development, information technology, or both.
- HB 1213 **Independent Contractor; Definition and Certification** – Allows the Department of Labor and Industrial
SB 1219 Relations to set criteria for independent contractor status. Establishes criteria for when the department shall presume an individual is an independent contractor. Requires the department to certify independent contractors. Requires independent contractors to provide a written copy of certification to each customer. Places the burden of proving an employee-employer relationship on the certified independent contractor if the contractor files a claim for unemployment insurance benefits against a customer.
- HB 1269 **Workplace Temporary Restraining Orders** – Allows an employer, as an individual or organization, to
SB 1213 seek a temporary restraining order and injunction against further harassment of an employee or invitee who may be harassed in connection with a worksite.

- HB 1305 **Social Media Privacy** – Prohibits an employer from requiring or requesting employees or prospective employees to (1) disclose login credentials for an employee’s personal account; (2) access a personal account in front of the employer or (3) divulge any personal account. Provides exceptions for an investigation of employee misconduct or violation of law, or for obtaining a password for an employer-issued electronic device. Prevents retaliation against employees who refuse to comply with a request or demand that violates this new law.
- HB 1497 **Employer Records; Professional Employer Organizations** –Requires employers to make, keep, and preserve records of the name, physical address, North American Industry Classification System code, and number of employees employed by the employer. Requires professional employer organizations to provide the physical address, North American Industry Classification System code, and number of employees of each client company to the Department of Labor and Industrial Relations.
- SB 129 **Paid Sick Leave; Service Workers** – Requires employers with 50 or more employees(in any one quarter in the previous year) to provide a broad range of “service workers” with one hour of paid sick leave for every 40 hours worked, in one hour increments up to a maximum of 40 hours per calendar year. Entitles such workers to carry over up to 40 hours of paid sick leave per year, but limits the number of sick leave hours that can be used per year. Allows such leave to be used for (1) employee’s own illness or injury; (2) care for a family member with illness or injury; (3) or absence due to being a victim of family violence or sexual assault. Advance notice may be required when the need to use paid sick leave is foreseeable. Employers may require reasonable documentation of the need for such leave when leave is taken for three or more consecutive days. Prohibits retaliation. Requires notice of such leave rights.
- SB 234 **Holiday Premium Pay; Retail Employers** – Requires a retail employer to pay a retail employee who works on a state holiday at a wage rate of three times the retail employee's regular wage rate. Prohibits retaliation against a retail employee who elects to not work on a state holiday.
- SB 355 **Non-compete Agreements; Condition of Continued Employment** – Provides that any non-compete agreement that is executed by an employee or agent after the commencement of employment as a condition of employment or continued employment is prohibited and unenforceable.
- SB 682 **Discrimination Against Medical Marijuana Patients and Caregivers** – Prohibits discrimination against medical marijuana patients and caregivers by schools, landlords, employers, courts, and licensing boards, or with regard to medical care or parental rights. For employment context, an exception applies where the employer will lose a monetary or licensing related benefit under federal law or regulation.
- SB 939 **Unemployment Insurance; Exemptions** – Exempts certain categories of workers from the definition of “employee” for purposes of unemployment benefits, including elected officials, members of the legislature or a political subdivision thereof, a member of the judiciary, a member of the National Guard or Air National Guard, and employee serving on a temporary basis in case of fire, storm, earthquake, flood or similar emergency, or an employee in a temporary position where such employment is intended to terminate within six months of commencement.

Wage and Hour

- HB 854
SB 1009 **Porterage Service Charges; Hotels** – Requires hotels to distribute porterage service charges to employees in full or disclose to customers that the charges are being used for other purposes. Porterage is defined as the act of moving luggage, bags, or parcels between a guest room and a lobby, front desk or any area with vehicular access at a hotel or condominium-hotel.

- HB 953 **Wage and Hour Law; Exempt Status** – Increases the guaranteed monthly compensation required to
SB 1122 exempt an employee from minimum wage, overtime and record keeping requirements under Hawaii wage
and hour law from \$2,000 to an amount equal to the minimum wage multiplied by 276.
- HB 1132 **Minimum Wage; Consumer Price Index** – Ties the minimum wage to the consumer price index for
readjustments that are calculated in September 2018 for the following year, and each year thereafter. Adjusts
the tip credit according to adjustments in the living wage.
- SB 1318 **Qualified Community Rehabilitation Center; Persons with Disabilities; Wages** – Repeals requirement
that qualified community rehabilitation centers pay their employees, who are persons with disabilities, less
than minimum wage.

Workers' Compensation

- HB 215 **Workers' Compensation; Independent Medical Examinations** – Requires that any physician or surgeon
SB 766 who is selected to perform an independent medical examination must be actively treating at least 10 patients
in any one-month period, be actively treating at least 50% of all patients examined by the physician or
surgeon in a one-month period, and possess medical malpractice insurance. Defines “actively treating” as
examining and treating a patient for the purpose of providing ongoing medical advice and treatment.
- HB 653 **Workers' Compensation; Independent Medical Examination; Settlement Agreement** – Requires
workers' compensation settlement agreements to be paid within 14 days, or be charged a 20% penalty.
Provides that an injured employee or employer may request that the director of labor and industrial relations
appoint an impartial physician to examine the employee, and that any such request must be approved or
denied within 14 days or it shall automatically be approved on the 15th day.
- HB 679 **Workers' Compensation Penalties; Temporary Partial Disability** – Imposes a penalty on an employer
who does not pay an employee temporary partial disability benefits within 14 calendar days after the end of
the employee's workweek as defined by administrative rule. Clarifies that an eligibility determination for
disability benefits depends on the primary care physician to certify the employee's disability. Clarifies that
the failure of the employee's primary care physician to certify the dates of disability in an interim report
does not disqualify the employee from disability benefits. Allows contemporaneous certification of an
employee's disability status to be waived. Clarifies that certification requirements only apply during the
period that an employee's injuries have not reach medical stabilization or the employee is enrolled in the
vocational rehabilitation process.
- HB 694 **Workers' Compensation; Coordinated Care Organizations** – Authorize groups of health care providers
SB 170 to organize as coordinated care organizations for the provision of medical care, services, and supplies under
Hawaii's workers' compensation law.
- HB 695 **Hawaii Employers Mutual Insurance Company; Repeal** – Repeals Article 431:14A of the Hawaii
SB 169 Revised Statutes, which statutorily established the Hawaii employers' mutual insurance company
(“HEMIC”) to provide workers' compensation coverage for Hawaii employers. Provides for continuing
operation of HEMIC and any policies and coverage issued by it.
- HB 855 **Vocational Rehabilitation Penalties** – Clarifies that a vocational rehabilitation provider that fails to file a
SB 1290 complete report within the required time limit shall be subject to penalties under Section 386-97.5 of the
Hawaii Revised Statutes, which can include a fine up to \$250 for each offense.

- SB 803 **Workers' Compensation; Impartial Physician** – Requires a workers' compensation impartial exam to be conducted by a doctor whose specialty is appropriate for the injury to be examined in cases where the director of labor and industrial relations appoints a doctor to conduct an exam.
- SB 809 **Workers' Compensation Treatment Plans; Electronic Delivery** – Allows physicians to submit workers' compensation treatment plans to employers by facsimile, the Internet and other electronic media. Requires employers to accept electronically submitted treatment plans and provide an electronic receipt of the submission.
- SB 1174 **Workers' Compensation; Independent Medical Examination** – Provides that an independent medical examination and permanent impairment rating examination shall be conducted by a qualified physician selected by the mutual agreement of the parties. Provides a process for appointment in the event that there is no mutual agreement.

Public Accommodations

- HB 1337 **Public Accommodations; Religious Exemption** – Exempts facilities owned or operated by a religious organization and used for religious purposes from the definition of “place of public accommodation” in connection with the law regarding discrimination in public accommodations.
- SB 940
- SB 700 **Public Accommodations; Non-Profit Exemption** – Exempts duly organized non-profit corporations from the discrimination in public accommodation law in connection with making goods, services, or facilities available to the general public.

Health and Insurance

- HB 92 **Health Care for Terminally Ill Patients** – Provides access for terminally ill patients to receive investigational drugs, biological products, and devices that have not received FDA approval.
- HB 102 **Long Term Care Insurance; Termination or Lapse** – Requires the 30-day termination notices of lapse or termination due to nonpayment of premium for long term care policies to be sent by certified mail or commercial delivery service instead of first-class mail. Provides for a 60-day grace period to reinstate coverage under a lapsed policy where cognitive impairment or loss of functional capacity is involved.
- SB 722
- HB 135 **License Fee for Accident and Health or Sickness Insurers** – Establishes a \$1,000 per year fee for accident and health or sickness insurers subject to article 10A of Chapter 431, or Chapters 432 or 432D of the Hawaii Revised Statutes. The fee shall be paid through the commissioner to the Hawaii health insurance exchange.
- HB 174 **Health Insurance; Orthodontic Treatment; Orofacial Anomalies** – Requires health insurance coverage of orthodontic treatment for orofacial anomalies resulting from birth defects or syndromes for policy holders and individuals under 26 years of age. Requires written notice of such coverage to be provided to the policy holder.
- HB 588
- SB 236
- SB 306
- HB 467 **Pulse Oximetry Screening; Congenital Heart Defects; Birthing Facilities; Newborns** – Requires birthing facilities to perform a pulse oximetry test or other medically accepted screening on newborns to screen for critical congenital heart defects.
- SB 337
- HB 490 **Hospitals; Caregiver Designation** – Requires hospitals to provide patients the opportunity to designate a caregiver upon entry to a hospital. Establishes hospital requirements regarding caregivers, including designation of a caregiver, notification to a caregiver, and a discharge plan for patients. Provides hospitals,
- SB 296

hospital employees, and consultants or contractors that have a contractual relationship with a hospital with immunity regarding caregiving.

- HB 526 **Patient’s Bill of Rights; Videotaping** – Provides that patients who are under the effects of anesthesia have a right to have the procedure videotaped, provided that the patient bears the cost of the videotaping.
- HB 614 **Pharmacists; Laboratory Tests and Insurance** – Requires health insurance drug coverage to include related laboratory tests ordered by a pharmacist in conjunction with the dispensing of a drug.
- HB 672 **In Vitro Fertilization; Infertility** – Provides insurance coverage for women who are diagnosed with
HB 864 infertility by making available to a lifetime benefit of three in vitro fertilization cycles or a live birth if the
SB 768 patient has a history of infertility of one year if 35 years of age or younger, or six months if 36 years or
SB 789 older.
- HB 673 **Embryo, Oocyte and Sperm Cryopreservation** – Requires insurance coverage for embryo, oocyte, and
SB 781 sperm cryopreservation procedures to preserve the fertility of adults diagnosed with cancer who have not yet started cancer treatment.
- HB 725 **Insurance Premium Tax; Mutual Benefit Societies and Health Maintenance Organizations** –
SB 724 Temporarily imposes an insurance premium tax on mutual benefit societies and health maintenance organizations, but exempts them from the tax if they do not file for an insurance plan rate increase during that period.
- HB 728 **Insurance; De-Identified Claims Data** – Requires a health organization to annually disclose de-identified claims data to the Insurance Commissioner. Requires the Insurance Commissioner to annually disclose de-identified claims data to a large group purchaser upon request. Exempts de-identified claims data from public disclosure except as provided. Makes conforming amendments.
- HB 729 **Colorectal Cancer Screening and Awareness Pilot Program** – Establishes a two-year Hawaii colorectal
SB 749 cancer screening and awareness pilot program using the Hawaii comprehensive breast and cervical cancer control program as a model. Appropriates funds for the pilot program.
- HB 796 **Health Insurance Reimbursement; Notice** – Requires an entity to send written notice to a health care
SB 736 provider at least 30 calendar days prior to initiating any recoupment or offset demand efforts. Prohibits an
SB 794 entity from initiating any recoupment or offset efforts more than 12 months after an initial claim payment was received by a health care provider, with specific exceptions.
- HB 882 **Terminally Ill Patients; Experimental Medical Treatments; Investigational Drugs** – Allows terminally
SB 585 ill patients to seek access and to use potentially life-saving investigational drugs, biological products, and devices that are currently only accessible to patients enrolled in clinical trials.
- HB 926 **Health Insurance; Rerating, Certificates of Authority, and Emergency Services** – Updates certain
SB 1095 provisions relating to health insurance regarding rerating; suspension, revocation or denial of certificates of authority; and emergency services.
- HB 1108 **Health Insurance; Autism Spectrum Disorders** – Requires health insurers, mutual benefit societies, and
SB 791 health maintenance organizations to provide coverage for autism spectrum disorder treatments.
- SB 117 **Health Care for Uninsured and Underinsured** – Appropriates funds for the direct health care, including primary medical, dental, and behavioral services, for uninsured and underinsured residents of the State.
- SB 301 **Health Plans; Notice of Formularies** – Requires entities that offer or renew health plans on or after January 1, 2017, to make available a complete and updated formulary to enrollees, potential enrollees, and providers.

- SB 318 **Naturopathic Care; Health Insurance** – Requires insurers, mutual benefit societies, fraternal benefit societies, and health maintenance organizations to provide coverage for health care services provided by a naturopathic physician.
- SB 787 **Health Insurance; Infertility; Auditor Study** – Appropriates funds to the auditor to conduct a study on the effects of requiring insurers to cover infertility procedures.
- SB 912 **Long-Term Care; Inflationary Update** – Provides for an inflationary adjustment to long-term care facility prospective payment rates.
- SB 924 **Cognitive Rehabilitation; Brain Injury; Mandatory Coverage** – Requires certain insurance contracts and plans to provide coverage beginning 1/1/2016 for treatment of brain injuries, including cognitive and neurocognitive therapy, neurobehavioral and neuropsychological testing or treatment, and necessary post-acute transition services or community reintegration activities for a period of at least twenty years from the date the injury occurred and up to a lifetime cap per person of \$300,000.
- SB 963 **Health Insurance; Hearing Aids** – Requires health insurance policies and contracts issued after 12/31/15 to provide coverage for the cost of hearing aids up to \$1,500 per hearing aid for each hearing-impaired ear every 36 months.
- SB 1217 **Health Insurance; Health Care; Discrimination** – Aligns state law with the requirements of Section 2706 of the federal Public Health Service Act by prohibiting insurers from discriminating against any health care provider who is acting within the scope of that provider's license or certification.

Healthcare Industry; Licensing

- HB 354 **Registered Nurses and Licensed Practical Nurses; Continuing Competency** – Requires licensed
SB 735 registered nurses and licensed practical nurses to submit evidence of completed continuing competency requirements prior to the renewal of the license.
- SB 231 **Foreign Medical Graduates; Licensing; Alternative Requirements** – Clarifies licensure requirements for foreign medical graduates.

Hawaii Health Connector

- HB 576 **Patient Protection and Affordable Care Act; Waiver; Appropriation** – Provides resources to develop a waiver from certain provisions of the Patient Protection and Affordable Care Act. Appropriates funds.
- HB 726 **Hawaii Health Connector; Mandatory Inclusion** – Requires health insurers with at least a 20% share of
SB 745 the health insurance market to submit its qualified plans for inclusion in the Hawaii health connector.
- HB 727 **Hawaii Health Connector; Gold Plans** – Requires a plan offered through the Hawaii health connector to
SB 744 be at least a gold plan as determined by the Patient Protection and Affordable Care Act.
- HB 1283 **Hawaii Health Connector; Sustainability and Funding** – Retains current financial and service benefits
SB 1028 of the Hawaii health connector. Enhances the availability of services through the connector. Supports the self-sustainability of the connector by 2023 by enabling the connector to issue debentures issued in the name of the connector.
- HB 1467 **Hawaii Health Connector; Large Group Coverage; Participation; Small Employers; Notice** – Enables
SB 1338 the Hawaii health connector to offer large group coverage to insurers. Requires insurer participation in the

connector if an insurer has a share of the small group market in the State that exceeds 20 per cent. Expands the potential small businesses market in the connector by amending the current definition of "small employer" under Section 431:2-201.5 of the Hawaii Revised Statutes to employers who have 100 or fewer employees. Beginning January 1, 2016, ends transitional renewal policies in Hawaii. Requires health insurers to provide notice to group health plans offering continuation coverage about options to secure affordable coverage under the connector.

SB 357 **Hawaii Health Insurance Exchange** – Prohibits navigators and non-navigator assistance personnel associated with the Hawaii health insurance exchange from misusing the personal information of consumers. Establishes civil and criminal penalties for violations.

Hawaii Health Systems Corporation

HB 195 **Hawaii Health Systems Corporation; Hilo Medical Center** – Appropriates funds for the Hawaii Health Systems Corporation primary care training program at Hilo medical center.

HB 379 **North Kona Hospital Financing** – Authorizes the issuance of general obligation bonds to develop a new HHSC hospital in North Kona. Allocates a portion of the Transient Accommodations Tax to fund the bond issuance.

HB 494 **Hawaii Health Systems Corporation; Emergency Appropriation** – Makes an emergency appropriation of \$48,000,000 for the functions of the Hawaii Health Systems Corporation and its regions for the next two fiscal years.
SB 294

HB 677 **Hawaii Health Systems Corporation** – Appropriates funds for the fiscal year 2014-15 as a subsidy for employment costs.
SB 206

HB 847 **Hawaii Health Systems Corporation; Primacy Care Training Program** – Appropriates funds for the interdisciplinary Hawaii health systems corporation primary care training program at Hilo Medical Center.

HB 948 **Hawaii Health Systems Corporation** – Makes and emergency appropriation to the Hawaii Health Systems Corporation.
SB 1117

SB 531 **Hawaii Health Systems Corporation; Appropriation** – Makes an appropriation to the Department of Health for the purpose of supporting the functions of the Hawaii Health Systems Corporation.

HB 668 **Hawaii Health Systems Corporation; Collective Bargaining Appropriation** – Replaces special fund moneys with general fund moneys to pay for Hawaii health systems public employee cost items for fiscal biennium 2013-2015.

HB 677 **Hawaii Health Systems Corporation; Appropriation** – Appropriates funds for the fiscal year 2014-15 as a subsidy for Hawaii Health Systems Corporation for employment costs.
SB 216

HB 795 **Hawaii Health Systems Corporation; Maui Regional Health Care System** – Authorizes the Maui regional health care system to enter into an agreement with a private entity to transition one or more of its facilities, including Maui memorial medical center, Kula hospital, and Lanai community hospital, into a new private Hawaii nonprofit corporation.

HB 1075 **Maui Regional System; Public-Private Collaboration** – Authorizes the Maui Regional System to enter into an agreement with a private entity to transition one or more of its facilities into a new private Hawaii nonprofit corporation.

- HB 1111 **Hawaii Health Systems Corporation; Copies of Records; Fees** - Authorizes the Hawaii Health Systems Corporation to set rates for copies of records that are protected from the disclosure requirements of Chapter 92F of the Hawaii Revised Statutes. Establishes rates for copies of medical records at the actual cost of preparation within minimum and maximum rates.
- HB 1112 **Hawaii Health Systems Corporation; Private Health Care Management System** – Establishes a process for determining whether the health care services provided by the Hawaii Health Systems Corporation or one or more of its regional health care systems can be delivered more cost-effectively by partnering with a private health care management system.
- HB 1145 **Hawaii Health Systems Corporation** – Authorizes the Hawaii Health Systems Corporation to mortgage its real property and clarifies the dollar cap on municipal leasing authority.
- HB 1146 **Hawaii Health Systems Corporation; Collective Bargaining Units** – Creates seven separate collective bargaining units for employees at Hawaii Health Systems Corporation.
- HB 1254 **Hawaii Health Systems Corporation; Repeal** – Repeals the Hawaii Health Systems Corporation and re-establishes the division of community hospitals under the Department of Health.
- HB 1373 **Leahi Hospital Land Transfer; Hawaii Health Systems Corporation** – Establishes a working group to formulate a plan for the transfer of all parcels of land contained within the Leahi hospital campus to the Hawaii health systems corporation.
- HB 1420 **Hawaii Health Systems Corporation; Regional System Boards** – Repeals the regional systems boards of the Hawaii Health Systems Corporation. Increases the size of the board and changes its composition. Requires the auditor to conduct a financial and management audit of the Hawaii Health Systems Corporation every five years.
- SB 1355
- SB 311 **Hawaii Health Systems Corporation** – Establishes a process to enable the Hawaii Health Systems Corporation, a regional system, or a combined regional system of two or more regional systems or a facility or service to transition to a new healthcare management system organized under the laws of the State as a nonprofit corporation or public benefit corporation registered to do business in the State. Establishes a transition committee to assist the governor in reviewing and monitoring the transitioning of the corporation, a regional system, or a combined regional system to a new healthcare management system.

Medical Marijuana; Legalization of Marijuana

- HB 31 **Medical Marijuana; Condominiums; Discrimination** – Voids any provision that discriminates against a person who holds a valid medical marijuana certificate and resides in an apartment or unit of a condominium property regime, condominium, or planned community association, unless the association documents prohibit smoking tobacco and the medical marijuana is used by means of smoking.
- HB 321 **Medical Marijuana Dispensaries** – Establishes a system of medical marijuana dispensaries and production centers. Prohibits counties from enacting zoning regulations that discriminate against licensed dispensaries and production centers. Clarifies the right of qualifying patients and primary caregivers to transport medical marijuana. Appropriates funds.
- SB 1029
- SB 1302
- HB 372 **Marijuana; Civil Penalties** – Establishes a civil violation for possession of one ounce or less of marijuana that is subject to the following fines: \$100 for the first violation; \$250 for the second violation; and \$500 for the third or subsequent violation.

- HB 717 **Marijuana; Legalization** – Legalizes the growing, processing, possession, transfer, and personal use of one ounce or less of marijuana to persons at least 21 years of age. Requires licensing to operate marijuana establishments. Subjects marijuana establishments to excise taxes and income taxes.
- HB 788 **Medical Marijuana; Cultivation** – Authorizes the cultivation of medical marijuana. Requires registration with the Department of Health, which shall adopt rules regarding the cultivation of medical marijuana.
- HB 794 **Medical Marijuana; Debilitating Conditions** – Provides that a physician may determine what medical condition qualifies a patient to use medical marijuana.
- HB 841 **Marijuana; Legalization** – Repeals criminal and civil penalties related to marijuana. Prohibits the
HB 889 furnishing of marijuana to a minor. Allows the cultivation of marijuana on private property. Prohibits
SB 383 counties from prohibiting the cultivation of marijuana on private property.
- HB 993 **Medical Marijuana; Written Certification** – Clarifies that a primary care or specialist physician may make the "written certification" necessary for medical use of marijuana. Requires that a certification form provided by DOH to register a medical marijuana patient and provide the patient's consent for the release of medical information shall specify that the consent applies to information from a primary care or specialist physician.
- HB 1203 **Legalization of Marijuana; Counties' Authority** – Authorizes the counties to adopt ordinances to legalize
SB 1259 marijuana possession, sale, and use, for persons over the age of twenty-one. Clarifies that penal code provisions pertaining to drug and intoxicating compounds offenses do not apply to counties that have adopted ordinances legalizing marijuana and adopted administrative rules to regulate marijuana.
- HB 1371 **Legalization of Marijuana** – Repeals criminal penalties related to marijuana by deleting reference to marijuana or marijuana concentrate from Hawaii law on illegal substances.
- HB 1455 **Medical Marijuana; Transfer; Primary Caregivers** – Allows a qualifying patient or a primary caregiver to transfer marijuana plants or plant material to any other qualifying patient or primary caregiver. Increases the amount of marijuana that constitutes an adequate supply. Increases the maximum number of qualifying patients that a primary caregiver may care for at any given time.
- HB 1485 **Medical Marijuana; Licensing of Manufacturers and Dispensaries** – Establishes duties and oversight of manufacturers and dispensaries for distribution of marijuana for medical use. Amends the definition of marijuana for medical use and creates requirements for potency and dosages.
- SB 189 **Marijuana; Rescheduling** – Removes marijuana and its intrinsic cannabinoids from schedule I and requires the Department of Public Safety, in consultation with the Department of Health, to issue a recommendation for the rescheduling of marijuana.
- SB 190 **Medical Marijuana; Transfer; Patient-to-Caregiver Ratio** – Allows a registered qualifying patient or a registered primary caregiver of the registered qualifying patient to transfer marijuana seedling plants or marijuana seeds to another registered qualifying patient or another registered primary caregiver, whether or not the registered primary caregiver to whom the marijuana seedling plant or marijuana seed is transferred is the caregiver for a particular registered qualifying patient. Increases the maximum number of registered qualifying patients that a registered primary caregiver may care for at any given time.
- SB 228 **Marijuana; Hashish** – Amends definitions of "marijuana" and "usable marijuana" to include hashish, tetrahydrocannabinol, and related substances. Adds definitions of "hashish" and "marijuana concentrate".
- SB 595 **Medical Marijuana; Dispensaries** – Enacts a medical use of marijuana statute to regulate the dispensing of medical marijuana.

- SB 596 **Marijuana; Civil Penalties for Possession of One Ounce or Less** – Establishes a civil violation for possession by a person 18 years of age or older of one ounce or less of marijuana that is subject to a fine of not more than \$100, and establishes an adjudicatory structure for its enforcement. Deletes reporting requirements of board of education for students possessing one ounce or less of marijuana. Clarifies that medical marijuana patients and primary caregiver may assert affirmative defense to prosecution, criminal or civil, involving possession of one ounce or less of marijuana. Excludes possession of one ounce or less of marijuana from authority of Hawaii paroling authority to require paroled prisoner to undergo and complete substance abuse treatment. Excludes possession of more than one ounce of marijuana from authority of courts to require a defendant to undergo and complete substance abuse treatment for probation violation. Clarifies definition of detrimental drug to exclude one ounce or less of marijuana. Excludes possession of one ounce or less of marijuana from offenses of promoting a detrimental drug in the second degree and third degree. Clarifies a civil violation for possession of marijuana does not constitute a prior offense for purposes of the conditional discharge law.
- SB 666 **Marijuana; Decriminalization** – Provides that possession of less than one ounce of marijuana shall be a civil rather than criminal offense. Establishes penalties for violations. Provides for enforcement, notice, and adjudication of violations.
- SB 681 **Marijuana; Marijuana Concentrate; Civil Penalties** – Establishes a civil penalty for possession of one
SB 708 ounce of less of marijuana or marijuana concentrate that is subject to a fine of not more than \$100. Makes various conforming amendments to statutes to reflect the establishment of the civil violation for possession of marijuana or marijuana concentrate of one ounce or less.
- SB 873 **Marijuana; Legalization** – Legalizes the personal use, sale or possession of marijuana not exceeding one ounce by persons age twenty-one years or older. Requires licensing to operate marijuana establishments. Subjects marijuana establishments to excises taxes and income taxes.
- SB 879 **Marijuana; Civil Penalty** – Establishes a civil violation subject to a fine of \$100 for the intentional or knowing possession of one ounce or less of marijuana.
- SB 1019 **Medical Marijuana; Hospitals** – Requires hospitals to designate a specific room on site where a qualifying patient who is admitted for at least one night may use prescribed medical marijuana for the duration of the qualifying patient's inpatient stay; provided the qualifying patient presents evidence of a current medical marijuana registration certificate.

Tobacco; Electronic Cigarettes (“E-Cigarettes”); Smoking

- HB 34 **Smoking Prohibitions; Condominiums and Co-Ops** – Allows condominiums and cooperative housing
SB 802 corporations to adopt rules to prohibit smoking in units, common elements, or limited common elements, including but not limited to electronic cigarettes.
- HB 143 **Tobacco Products; Premium Cigars; Tax** – Defines "premium cigar," and applies a tax of 50 cents per
SB 399 premium cigar that is sold, used or possessed by a wholesaler or dealer. Exempts premium cigars from self-service display ban.
- HB 144 **Premium Cigars; Tax** – Defines "premium cigar" and deletes definition of "large cigar." Replaces the
SB 400 percentage tax on large cigars with a tax of 50 cents per premium cigar.
- HB 145 **Large Cigars; Tax** – Amends the excise tax rate on the sale of large cigars to the lesser of 50 cents for each
SB 401 large cigar or 50 per cent of the wholesale price of each large cigar.

- HB 349 **Electronic Smoking Devices** – Regulates electronic smoking devices as cigarettes for purposes such as cigarette and tobacco taxes, smoking restrictions, tobacco products reporting, and tobacco liability.
- HB 385 **Sales of Tobacco or Electronic Smoking Devices** – Increases the age in which one can sell, furnish, distribute or purchase tobacco or electronic smoking devices from 18 to 21.
- HB 525 **Smoking; Public Parks** – Prohibits the use of tobacco products, electronic smoking devices, or betel nut products within the State of Hawaii park system. Requires posting of signage.
- HB 585 **Electronic Smoking Devices** – Prohibits the use of electronic smoking devices where smoking is currently
SB 757 banned. Updates signage requirements.
- HB 586 **Tobacco and Electronic Smoking Devices; Hawaii Health Systems Corporation** – Prohibits the use of
SB 305 tobacco products and e-cigarettes on premises of the facilities operated by the Hawaii Health Systems Corporation. Requires the corporation to offer tobacco cessation programs to employees.
- HB 587 **Sale of Tobacco and Electronic Smoking Devices** – Increases the minimum age for persons who may
SB 1030 purchase tobacco products or electronic smoking devices from 18 to 21 years of age. Amends the definition of "electronic smoking device" as used in Section 709-908 of the Hawaii Revised States. Defines "tobacco products" to include electronic smoking devices.
- HB 749 **Cigarette Fee; Beach Clean-Up Special Fund** – Imposes on wholesalers and dealers a beach clean-up
cigarette fee per cigarette sold, used, or possessed. Establishes and allocates moneys generated to the Beach Clean-Up Special Fund for litter removal from beach land.
- HB 940 **Electronic Cigarettes** – Amends Chapter 328J of the Hawaii Revised Statutes to prohibit the use of
SB 1109 electronic smoking devices in places where smoking is prohibited and updates signage requirements. Provides definitions for "electronic smoking devices" and "tobacco product." Revises definition of "smoking" to include the use of an electronic smoking device.
- HB 1164 **Tobacco Products; Nicotine; Excise Tax** – Expands the definition of "tobacco products" to include any
SB 1220 product containing nicotine, but not containing tobacco. Imposes an excise tax equal to 80% of the wholesale price of any tobacco product, other than large cigars, sold by a wholesaler or dealer on and after January 1, 2016, whether or not sold at wholesale, or if not sold then at the same rate upon the use by the wholesaler or dealer. Requires any increase in the excise tax rate imposed on cigarettes or little cigars on or after 1/1/2016 to trigger an automatic excise tax increase on other tobacco products on or after 1/1/2016. Requires the additional moneys collected under the excise tax to be deposited to the credit of the Hawaii cancer research special fund.
- SB 18 **Electronic Smoking Devices; Ban** – Amends Hawaii law to prohibit the use of electronic smoking devices
in places where smoking tobacco is currently banned. Includes the use of electronic smoking devices in the definition of "smoking."
- SB 299 **Electronic Smoking Device; Excise Tax; Tobacco Prevention and Control Trust Fund; Smoking
Cessation; Smoking; Minors; Sale or Purchase Prohibited** – Establishes an excise tax on electronic
smoking devices equal to 30% of the wholesale price of each electronic smoking device kit, electronic smoking device nicotine cartridge, or electronic smoking device nicotine refill sold, used, or possessed by a wholesaler or dealer on or after January 1, 2016. Allocates taxes collected to the Hawaii tobacco prevention and control trust fund, to be used for smoking cessation programs in Hawaii, with an emphasis on teen smoking prevention and cessation programs. Amends Hawaii's anti-smoking statute to prohibit the use of electronic smoking devices in places open to the public and other specified locations. Prohibits the sale or

furnishing of electronic smoking devices to a minor under 21 years of age. Prohibits minors under 21 years of age from purchasing electronic smoking devices.

Contractors

- HB 54 **Specialty Contractor Licenses** – Specifies that general engineering contractors and general building contractors will require additional examination and payment of additional fees for issuance of additional specialty classifications.
- HB 103 **Contractors; Handyman Exemption** – Raises the contractor’s handyman exemption from \$1,000 to \$5,000, including the cost of labor, materials, taxes and all other items.
- HB 129 **Contractor; Licensure Requirements** – Allows the contractors license board to accept in lieu of a specific
SB 838 experience requirement for licensure, equivalent knowledge, training, or experience, including self-employed or unlicensed experience, if the board investigates and makes a detailed written finding available for public inspection.
- HB 130 **Contractors; Incidental Work** – Prohibits a general engineering and general building contractor from
HB 714 doing any incidental or supplemental work for which it is not duly licensed and for which it lacks the
SB 164 requisite specialized skill to undertake. “Incidental and supplemental work” means any work directly related
SB 839 to a larger project requiring the specialty license held by a general engineering, general building, or specialty contractor for which the aggregate contract cost is not more than 0.5% of the total contract.
- HB 307 **Contractors License Board; Requirements and Composition** – Amends the membership and composition requirements of the contractors license board. Declares that protection of the public shall be of the highest priority for the board in the exercise of its licensing, regulatory, and disciplinary functions.
- HB 713 **Unlicensed Contractors; Investigations** – Requires the appropriate licensing boards to hire and train
SB 168 private deputies to investigate the use of unlicensed persons by contractors on construction sites. Increases penalties for violation of scope of contracting. Requires report. Appropriates moneys from the compliance resolution fund.
- HB 1232 **Sub-Contractor Payment** – Requires a contractor to pay a subcontractor within 10 days after receipt of an invoice by the subcontractor that includes any supporting documents pursuant to the subcontract terms. Deletes language in current law stating that payment can be made after receipt by the contractor of payment from the owner for the subcontractor’s work.
- SB 5 **Professions and Vocations; Licensure; Unions; Classes** – Requires classes that are required as a condition of licensure and offered by a trade union to be made available to all licensees at the same cost, regardless of whether a licensee is a member of the trade union, but only if no equivalent public classes are available.
- SB 466 **Contractors License Board; Membership** – Amends the number of members and membership requirements and restrictions for the contractors license board.
- SB 548 **Contractors; General and Special Contractors** – Requires a general building contractor on construction projects involving more than four, rather than two, unrelated building trades or crafts. Allows a specialty contractor to take and execute a construction contract involving two or more crafts or trades without requiring the performance of the work to be incidental and supplemental.
- SB 650 **Campaign Contributions; State Contracts** – Prohibits subcontractors, contract bidders, and applicants for state grants or subsidies along with state contractors and subcontractors from making campaign contributions for the life of the contract. Requires all public contractors to explicitly agree through a

provision in their public contracts to be subject to the prohibitions and penalties for any violations of campaign finance laws.

- SB 726 **Subcontractors; Bid Shopping** – Prohibits bid shopping and bid peddling for the competitive sealed bidding process. Repeals the subcontractor listing requirement for construction bids made under the competitive sealed bidding process.

Public Works Contracts

- HB 53 **Procurement Code; Exemptions** – Expands the exemptions under the procurement code to include renewable energy utility services generated from a renewable energy system.
- HB 391 **Public Works; Overtime Compensation** – For government public works construction contracts greater than \$2,000, provides that overtime compensation be not less than 1-1/2 times the laborers or mechanics basic hourly rate of pay plus fringe benefits and that if the Department of Labor and Industrial Relations determines that the prevailing wage is determined by a group represented by collective bargaining, then the overtime and any other premium shall be at the same rates set by the collective bargaining agreement. Specifies that the overtime rate be as specified in the collective bargaining agreement when the basic hourly rate is based on a collective bargaining agreement.
- SB 216
- HB 499 **Public Works; Prevailing Wages** – Increases from \$2,000 to \$5,000 the cost threshold of a public works contract that requires a contractor to pay prevailing wages.
- HB 517 **Public Works Construction; Apprenticeship Agreement** – Repeals Section 103-55.6 of the Hawaii Revised Statutes, which requires a procurement preference to a bidder in a public works construction contract of not less than \$250,000, if the bidder is a party to an apprenticeship agreement registered with the Department of Labor and Industrial Relations for each apprenticeable trade the bidder will employ to construct the public works.
- HB 536 **Government Contracts; Pay Equity and Gender Discrimination** – Requires equal pay for similar work for any employee performing services under certain government contracts. Establishes a requirement for government contractors to report wages paid to employees, by gender. Provides penalties for contractors found to be in violation of these practices, including liquidated damages and suspension from government contract work. Also prohibits contractors on certain government contracts from retaliating against employees who disclose wage information.
- SB 728
- HB 682 **Construction Contracts; Apprenticeship** – Requires that bidders who receive a procurement preference on a public works contract be a party to a DLIR registered apprenticeship agreement for each apprenticeable trade that the bidder will utilize to complete the contract.
- HB 952 **Public Works Law; Complaints** – Requires laborers and mechanics working on public works to file complaints within one year of the date the payment was due and ensure confidentiality of the complainant or witness.
- SB 1121
- HB 1126 **Procurement Database** – Requires the state procurement office to establish a database of all government procurement contracts, accessible to each governmental body. Appropriates funds to establish the database.
- HB 1180 **Procurement; Inadequate Performance** – Requires the state procurement office to establish a database to record inadequate past performance by contractors on public works projects.

Public Employees

- HB 187 **Public Employment; Anti-Nepotism** – Prohibits a legislator or public employee for naming, appointing, SB 450 or hiring a relative to public office or employment.
- HB 188 **Public Employees; Conflict of Interest** – Prohibits state employees from taking any official action directly SB 451 affecting a business or other undertaking in which a parent, sibling, or emancipated child has a substantial financial interest.
- HB 558 **Public Employees; Overtime** – Limits overtime compensation to those hours worked in excess of 40 hours in a workweek. Excludes those hours taken as paid time off (such as sick leave and vacation) from the calculation of the 40 hours.
- HB 669 **State Employee Benefits; Health Plans; Vacation and Sick Leave; Retirement** – Sets state and county contributions for health plans equal to the cost of the most popular self plan for public employees hired after 6/30/2015. Allows current active employees to make a one-time election to receive the same contributions for health plans that are offered to public employees hired after 6/30/2015. Limits vacation and sick leave to 480 hours each for public employees hired after 6/30/2015. Eliminates retirement health benefits for public employees hired after 6/30/2015.
- HB 920 **Workers' Compensation Benefits; Retirement Service Credits** – Requires a public employee receiving SB 1089 workers' compensation benefits to have retirement contributions deducted from those benefits. Establishes deadlines: (1) for public employees who join the employees' retirement system after June 30, 2016 to claim membership service credit for previous service and for military service credit; and (2) for starting payments to acquire membership service credit for previous service, military service and unpaid leave. Provides for payment for acquisition based on actuarial cost.
- HB 944 **Public Employees; Healthcare Facilities; Background Checks** – Expands the authority of the Department SB 1113 of Health to conduct background checks to include criminal history record check, adult abuse perpetrator and child abuse record checks, and certified nurse aide registry record checks for persons seeking employment with the State or its contractors where the work involves direct client care, and applicants and operators of healthcare facilities.
- HB 1268 **Public Employees; Workers' Compensation; Temporary Vacancies** – If a state employee has been able to work for six months, requires the Director of Labor and Industrial Relations to determine if the positions of state employees receiving workers' compensation benefits should remain vacant for one year or longer. Provides for the filling and funding of the temporarily vacant positions. Establishes a funding mechanism.
- HB 1356 **Post-Employment Benefits; Unfunded Liabilities** – Establishes the Rate Stabilization Reserve Fund to stabilize the Hawaii Employer-Union Health Benefits Trust Fund when there is insufficient money to cover the costs of providing benefits to employee-beneficiaries and dependent-beneficiaries. Caps employer contributions to the separate trust fund when the separate accounts for each public employer within the separate trust fund have a combined balance of at least \$2,000,000,000.
- SB 139 **Civil Service Exemptions** – Amends language to require each director of central personnel agency for a jurisdiction to review state civil service positions exempted under Section 76 of the Hawaii Revised Statutes, after July 1, 2002, and prior to July 1, 2014, to determine whether the positions should continue to be exempt. Until July 1, 2016, removes requirement related to civil service appointment for an employee who occupies an exempt position for at least one year. Requires the director of human resources development to submit a report to the legislature.
- SB 903 **Public Employees; Paid School Leave** – Requires government employers to provide employees with paid leave to attend parent-teacher, parent-caregiver, or early intervention services conferences. Adds early

intervention services conferences to the list of conferences for which government employees shall be eligible to receive paid leave to attend.

Government Agencies

- HB 520 **Workforce Development Council** – Makes a technical amendment stating that the workforce development council “shall be” (instead of “is”) placed within the Department of Labor and Industrial Relations.
- HB 683 **Hawaii Civil Rights Commission; Investigation, Conciliation and Dismissal of Complaint** – Authorizes
SB 362 the executive director to dismiss a discrimination complaint and issue a notice of right to sue after a determination of a reasonable cause of discrimination is made and conciliation fails.
- HB 696 **Health Care Workforce Advisory Board** – Establishes the Hawaii healthcare workforce advisory board
SB 166 to help increase and strengthen the healthcare workforce in the State of Hawaii.
- HB 730 **Administrative Rules; Public Hearings** – Requires state agencies to hold public hearings in the county, or counties, primarily impacted by the proposed adoption, amendment, or repeal of any administrative rule. Requires at least one public hearing with thirty days' notice on each island that a proposed rule will likely have a significant monetary impact on residents or communities of that island.
- HB 756 **Legislature; Videoconferencing** – Requires both chambers of the legislature to implement rules to permit residents to present testimony through audiovisual technology. Appropriates moneys to establish audiovisual systems throughout the State.
- HB 951 **Labor and Industrial Relations Appeals Board; Notice of Hearing** – Allows the Labor and Industrial
SB 1120 Relations Appeals Board the option to provide notice of hearing by online posting on the board's webpage if service by first class mail fails to elicit a response from the party.
- SB 9 **Public Agency Meetings; Legislature** – Requires the legislature to hold public hearings on proposed rules and procedures of the senate and the house of representatives regarding open meeting requirements and penalties and sanctions for the state legislature or any of its members, to hold those hearings prior to adoption of the rules and procedures, and to take a recorded vote on each action to waive a rule of procedure.
- SB 351 **Department of Labor and Industrial Relations; Unemployment Reporting** – Requires the Department of Labor and Industrial Relations to report figures regarding the total unemployed plus all persons marginally attached to the labor force and employed part-time for economic reasons, as a percentage of the civilian labor force plus all persons marginally attached to the labor force.
- SB 624 **Legislature; Sunshine Law** – Requires the legislature to follow fundamental principles of the sunshine law, including: conducting public hearings on proposed legislative rules; requiring a majority vote to suspend legislative rules; giving a seventy-two hour public notice for public hearings; requiring proposed amendments on a bill to be germane to the text to be amended; requiring correspondence on measures to be considered testimony; and requiring the posting, on the order of the day, of items to be voted on during floor sessions by a house, including votes to agree to amendments made by the other house.

Tax; General Excise Tax (“GET”); Tax Credits

- HB 35 **Deduction for Employee Benefits** – Limits the amount an employer may deduct for benefits provided to
SB 780 an employee to 50 times the State's median household income.

- HB 66 **GET; Scientific Contracts with United States; Repeal** – Repeals the GET exemption for certain scientific contracts with the United States.
- HB 109 **Tax Clearance for Professional or Vocational Licenses** – Requires a tax clearance before a professional or vocational license that is subject to the jurisdiction of the Department of Commerce and Consumer Affairs may be issued or renewed.
- HB 133 **New Hotel Construction; Tax Credit** – Provides an income tax credit for costs incurred in new hotel construction.
- HB 283 **GET Exemption; Mixed-Use Projects** – Establishes an exemption from the GET for the development of mixed-use projects incorporating affordable housing units on state or county lands.
- HB 343 **Tax Credit; Employees with a Disability** – Provides a taxpayer who hires an individual with a disability a nonrefundable tax credit for the six-month period after the individual is initially hired by the taxpayer.
- HB 419 **GET Exemption; Food and Medical Services** – Provides a GET exemption for food after December 31, 2019, and for medical services after December 31, 2017. Exemption for food applies to food or food ingredients that are furnished, prepared or served as meals. “Medical services” is defined as professional services provided by hospitals and medical clinics and facilities that are licensed by the state to provide such services.
- HB 422 **GET Exemption; Care Providers** – Provides a GET exemption for property owners who lease to assisted living providers and child care providers.
- HB 470 **Corporate Income Tax; Repeal** – Repeals the corporate income tax at Parts IV and VII of Chapter 235 of
SB 958 the Hawaii Revised Statutes.
- HB 477 **GET Exemption; Food** – Provides a GET exemption for the gross proceeds arising from the sale of food
SB 957 by eligible retail food stores. “Food” is defined as any food item intended for human consumption as defined by the Food and Nutrition Act of 2008.
- HB 572 **Hotel Construction and Renovation; Income Tax Credit** – Provides an income tax credit for qualified hotel construction and renovation for taxable years beginning in the period after December 31, 2015, through December 31, 2020.
- HB 642 **GET Exemption; Wet Waste Recyclables** – Provides a GET exemption for the first \$500,000 in sales of food waste sold for animal consumption.
- HB 643 **GET Exemption; Wind Resistive Devices** – Exempts wind resistive devices from the GET on wholesale and retail transactions.
- HB 671 **GET Returns and Payment** – Amends the date of filing of monthly, quarterly, and semiannual GET returns
SB 339 from the 20th day of the respective applicable month to the last day of the month. Applicable to returns and payments after 7/1/15.
- HB 718 **Liquor Tax; Barrel Sales** – Establishes a reduced per gallon tax rate on beer sold in barrels for the first 60,000 barrels sold annually.
- HB 748 **GET; Nicotine** – Applies the GET on the manufacture and sale, at wholesale and retail, of all products containing nicotine, at a rate of 10%.
- HB 880 **Income Tax Credit; National Guard Employees** – Establishes an employer income tax credit for
SB 177 taxpayers who maintain employee insurance coverage for national guard members for the duration of the

national guards' active duty. Expands the powers of the governor and governor's designee in calling the national guard into active duty. Allows the adjutant general to order the national guard into active service for nonemergency purposes that are necessary and attendant to the mission of the department of defense. Expands the rights granted to national guard members to incorporate rights granted under the Servicemembers Civil Relief Act and the Uniformed Services Employment and Reemployment Rights Act.

- HB 966 **GET; Nonprofit Organizations** – Re-inserts wording from Section 237-23 of the Hawaii Revised Statutes
SB 1135 that was previously repealed.
- HB 984 **GET Exemption; Food** – Provides a GET exemption on gross proceeds or income arising from the manufacture, production, packaging, and sale of food items within the State. Defines “food items” as any food or food product for home consumption except alcoholic beverage, tobacco and food products prepared at the place of sale for immediate consumption.
- HB 1062 **GET Exemption; Medical Services** – Provides a GET exemption for medical services, including professional services by hospitals and medical clinics and facilities that are licensed by the appropriate state agencies.
- HB 1253 **Long-term Care Surcharge on State Tax; GET; Use Tax** – Establishes a long-term care surcharge on
SB 727 state tax to pay for claims for defined benefits under the long-term care financing program. Makes an appropriation to the Department of Taxation for costs of implementation and collection.
- HB 1454 **Manufacturing Tax Credit** – Establishes an income tax credit for taxpayers who incur certain expenses
SB 1365 for manufacturing products in Hawaii. Applies to taxable years beginning after December 31, 2015. Sunsets January 1, 2023.
- SB 696 **Telecommuting Tax Credit** – Provides an income tax credit for employers when their employees telecommute for work.
- SB 946 **GET; Intermediary Business Transactions** – Repeals the GET on all intermediary business transactions.
- SB 1317 **GET Increase; Wholesale Sales; Disbursement** – Increases the excise tax levied on wholesale sales from 0.5 per cent to 1.0 per cent for calendar years 2016 and 2017. Requires that in calendar years 2016 and 2017, 50 per cent of the tax revenue increase from 2015 to 2016 and 2015 to 2017 be equally disbursed to each of the four counties for infrastructure development and 50 percent be disbursed to the Department of Education for public school expenses, not including personnel salaries.

Miscellaneous

- HB 13 **School Teacher Tax Credit** – Authorizes a state income tax credit up to \$500 for certain expenses paid or
SB 821 incurred by school teachers, special education teachers, school librarians, and counselors for supplementary materials used in the classroom.
- HB 25 **Discrimination in Rental Transactions; Source of Income**–Prohibits discrimination in rental transactions against an individual based on source of income (i.e. Section 8). Provides that landlords can still verify, in a commercially reasonable manner, the source and amount of income of a potential renter or evaluating, in a commercially reasonable manner, the stability, security, and credit worthiness of a potential renter.
- HB 106 **Student Privacy; Consumer Protection** – Prohibits an operator of an internet web site, online service, online application, or mobile application from knowingly engaging in targeted advertising to students or their parents or legal guardians, using personally identifiable information to create a profile about a K–12

student, or selling a student's personally identifiable information. Authorizes the disclosure of such information under limited circumstances.

- HB 128 **Child Support by Minor Parents; Grandparents** – Authorizes the Child Support Enforcement Agency to pursue support and maintenance for the child of a parent under the age of eighteen from the child's grandparents.
- HB 150 **Transmittal of Government Records by Board Members; Sunshine Law** – Allows a board member to
SB 133 transmit certain government records to another board member provided that no commitment to vote is made.
- HB 217 **Liquor License; Growlers** – Permits the liquor commission to allow a restaurant licensee to sell malt
SB 221 beverages manufactured on the restaurant premises in brewery-sealed kegs and growlers. Defines "growler" as a glass or metal container, not to exceed one half-gallon, which shall be securely sealed.
- HB 227 **Liquor License Requirements; Noise Control** – Enhances community noise control as regulated by county liquor commissions in counties with at least 700,000 residents.
- HB308 **Child Safety; Bullying, Cyberbullying and Harassment** – Requires any state or county program for the instruction, enrichment, care, or supervision of children to comply with Department of Education rules and statutes governing acts of bullying, cyberbullying, or harassment. Requires program staff to report cases and receive related training. Requires the programs to allow parents or guardians of victims to appeal decisions to remediate.
- HB 351 **Unauthorized Practice of Law** – Clarifies that an unlicensed attorney commits the unauthorized practice
SB 1010 of law by providing legal services and assessing a fee or being paid for those legal services. Defines "legal services" as acts requiring the use of any degree of legal knowledge, skill or advocacy that a person who is licensed or authorized to practice law has been trained and is permitted to perform, including appearing in court, giving legal advice, drafting pleadings, discovery, and evaluating and valuing claims against legal standards and precedent.
- HB 389 **Restaurants and Bars; Dogs** – Authorizes restaurant and bar owners and managers, at their discretion, to permit dogs inside a restaurant or bar, subject to certain conditions. Restaurants allowing dogs into their establishment shall post a sign stating "Dogs are allowed in this establishment."
- HB 394 **Legislation; First Reading for Legal Sufficiency** – Requires all introduced bills to be subject to a legal sufficiency check that determines whether the bill meets state constitutional requirements and does not conflict with the United States Constitution or the state constitution before being scheduled for first reading.
- HB 409 **Legislation; Fiscal Impact Statements** – Requires the office of the legislative analyst to create fiscal impact statements for certain bills that have a fiscal impact. Makes an appropriation to the office of the legislative analyst.
- HB 436 **Emergency Vehicles; Move Over Law** – Amends the definition of "emergency vehicle" in the law that requires approaching vehicles to slow and change lanes to include state civil defense vehicles and county emergency management vehicles.
- HB 445 **Transit-Oriented Development** – Offers loan guarantees to encourage affordable housing as part of transit-oriented development.
- HB 488 **Public Service; Loan Forgiveness Program** – Establishes the Hawaii Give Back for Payback Loan Forgiveness Program to assist professionals employed by a not-for-profit organization designated as tax-exempt by the Internal Revenue Service under section 501(c)(3) of the Internal Revenue Code, as amended, with student loan repayment in exchange for a __-year commitment to public service in the State of Hawaii.

- HB 553 **University of Hawaii Graduate Students; Collective Bargaining** – Allows graduate students at the
SB 638 University of Hawaii to be included in an appropriate collective bargaining unit.
- HB 556 **Research Corporation of the University of Hawaii; Personnel** – Limits certain certified officers and
employees of the Research Corporation of UH to non-renewable positions of no more than three years.
Requires placement of all other officers or employees in appropriate collective bargaining unit.
- HB 709 **Private Detectives and Guards; Board Composition** – Requires that of the two persons on the Board of
SB 989 Detectives and Guards who are actively engaged in any of the licensed practices, one shall be a public
employee.
- HB 739 **Service of Process; Publication** – Establishes requirements for service of a summons via publication where
SB 758 service by personal delivery or certified, registered or express mail is not successful despite a reasonable
attempt. Service by publication may be through a newspaper having a general circulation in the circuit
where the action has been filed, which shall be published once a week for three consecutive weeks at least
21 days before the return date, or through a state website at least 21 days before the return date if the
summons is also published at least once in a newspaper.
- HB 738 **Service Animals; Misrepresentation** – Makes it unlawful to knowingly misrepresent oneself, either
through verbal or written notice, as the owner or trainer of a service dog.
- HB 770 **Liquor Licenses; Off-Premises Consumption** – Authorizes restaurants and retail dealers with a liquor
SB 1151 license to sell beer, malt beverages, wine, or cider for off-premises consumption, under certain conditions.
Authorizes brewpubs and small craft producer pubs with a liquor license to sell for off-premises
consumption malt beverages purchased from another liquor licensee.
- HB 819 **Bullying in Schools** – Requires certain state entities and grantees that provide services, activities, or
SB 845 privileges to youths to adopt bullying prevention policies. Establishes a task force to assist the Governor
with bullying prevention policies in the State.
- HB 860 **Developmental or Intellectual Disabilities; Employment First** - Establishes an employment first policy
for persons with developmental or intellectual disabilities in Hawaii. Requires the Department of Health to
establish an employment first committee.
- HB 979 **Cybersecurity Employment Training** – Establishes a cybersecurity employment training initiative within
SB 1148 the University of Hawaii community college system. Appropriates funds for the operation of the initiative.
- HB 1217 **Attorneys; Membership** – Establishes that there shall not be any requirement for an attorney to join an
SB 154 association or organization of lawyers to maintain a law license to practice in the State.
- HB 1279 **Cybersecurity; Statewide Council** – Establishes a statewide cybersecurity council to identify and assess
critical computer infrastructure and make annual recommendations to the legislature.
- HB 1322 **Homeless Person’s Bill of Rights** – Establishes a homeless person’s bill of rights, including a right to have
equal opportunities for employment.
- HB 1503 **Commuter Benefit Programs** – Allows the counties to adopt and offer one or more of three commuter
SB 338 benefit options: a pre-tax program, an employer-paid benefit program, and an employer-provided transit
program. Defines terms used within the section.
- SB 1 **Research Corporation of the University of Hawaii (“RCUH”); Procurement Exemption** – Limits
RCUH’s procurement exemption to contracts that are directly related to research, contracts for
investigations, training, and studies that are directly related to research.

- SB 268 **Cyberbullying** – Criminalizes bullying and cyberbullying against public or private school students in grades pre-kindergarten through twelve that causes professionally certified psychological harm or damage by adding bullying and cyberbullying to the crimes of terroristic threatening and harassment.
- SB 403 **Liquor Licenses; Delinquent Taxes; Certificate of Vendor Compliance** – Allows those applying for liquor licenses to present a certificate of vendor compliance issued by the state procurement office to establish they do not owe delinquent taxes, penalties, or interest.
- SB 476 **Boards and Commissions; Financial Disclosures** – Requires the state ethics commission to provide a confidential copy of board and commission members' most recent financial disclosures to the governor, all other members of the filer's board or commission, and executive director. Requires the recipients of the disclosures to maintain the confidentiality of the disclosures.
- SB 601 **Right to Privacy; Consent** – Establishes Hawaii as a two-party consent state by requiring a person to verbally notify and receive prior consent from all parties to the communication prior to the interception of a wire, oral, or electronic communication; and maintains a one-party consent exception for a person acting under the color of the law or when necessary to protect a person from threat of harassment or abuse.
- SB 865 **Bullying in Schools; Cyberbullying** – Requires educational institutions and all youth-serving agencies to create and implement anti-bullying policies. Establishes a bullying prevention task force to provide guidance. Outlines the requirements for each institution or agency's policy and specifies reporting, investigation, and appeals procedures involving incidents of bullying. Provides immunity to reporters of bullying in the event of a cause of action for damages arising from the making of a report. Requires institutions and agencies to establish annual bullying prevention programs for youth and to provide bullying prevention training to all employees and volunteers who have significant contact with youth. Requires institutions and agencies to report aggregate figures regarding bullying to the governor and requires the governor to report to the legislature regarding bullying and the effectiveness of anti-bullying policies.
- SB 869 **Credit Card Surcharges** – Prohibits retailers from imposing a surcharge in any sales, service or lease transaction with a consumer who elects to use a credit card in lieu of payment by cash, check or similar means. Provides that a retailer may offer discounts for the purpose of inducing payments by cash, check or other means not involving the use of a credit card if the discount is offered to all prospective buyers.
- SB 914 **Attorney Annual License Fee; Indigent Legal Assistant Fund Surcharge** – Requires the clerk of the supreme court to assess and collect an annual surcharge on license fee on every law practitioner in the amount of \$100, to be paid into the indigent legal assistance fund and to be matched by the State up to an unspecified amount annually.
- SB 1014 **Houseless Bill of Rights** – Provides certain rights to a person who is houseless including equal access to housing, jobs, and shelters, equal treatment by government agencies, and access to life-sustaining activities and essential services.
- SB 1154 **Liquor Commissions; Public Hearings** – For counties with a population of 500,000 or more, requires a public hearing before the liquor commission on an application for a liquor license to be held not less than thirty days after the first public notice for the hearing.
- SB 1186 **Security Breaches; Personal Information** – Expands definition of "personal information" and establishes or amends the timeline by which a business or government agency must notify persons affected by a security breach of personal information. Specifies additional information required in notification following certain security breaches. Prohibits the use of email as a means of notification of a security breach if login credentials for email were compromised.