



February 1, 2016

## 2016 - Employment Bills Introduced and Carryover Bills

### Employment Practices and Employment Rights

HB 1683 **Family Leave; Siblings** – Expands Hawaii Family Leave Law (“HFLL”) to permit an employee to take leave to care for a sibling. Defines “sibling” as one of two or more individuals having at least one biological or adoptive parent in common.

HB 1727 **Federal Earned Income Tax Credit; Notice of Eligibility** – Requires employers to notify employees that they may be eligible to receive the federal earned income tax credit. Such notice must be provided within one week of when the employees are provided with their annual wage summary statements.

HB 1739 **Social Media Privacy** – Prohibits employers from requiring, requesting, or coercing employees or potential employees to:

- Disclose the login credentials for a personal social media account;
- Access the employee’s social media account in the presence of the employer; or
- Add any individual, including the employer, to their list of contacts associated with the personal social media account.

Provides exceptions where an employer:

- Accesses information that is publicly available;
- Complies with applicable laws, rules or regulations;
- Conducts an investigation of employee misconduct;
- Requires the employee to provide access to an employer-issued device; or
- Prohibits an employee from using a personal account during working time or for business purposes.

Prohibits an employer from discriminating against an individual who refuses to disclose any information regarding a personal social media account as mentioned above.

HB 1785 **Paid Leave Trust Fund; HFLL** – Establishes a partial wage replacement for paid leave trust fund, which shall consist of employee contributions in the amount of \_\_\_% of employees’ earnings. Revises the HFLL in the following ways:

- Increases leave from 4 weeks to 12 weeks; and
- Covers leave for foster placement.

Provides that trust fund shall be used to provide an eligible employee with 12 weeks of paid leave per calendar year at a maximum rate of 66 2/3% of the employee’s monthly wage. Gives employers credit for paid leave provided to employees, exclusive of sick or vacation hours. Appropriates funds to the DLIR for administrative expenses and staffing.

HB 1909 **Equal Pay; Pay Transparency** – Amends Hawaii equal pay law to provide that employers shall not discriminate by paying different wages to employees of the opposite sex that perform “substantially similar work” (instead of “equal work”). Provides defenses for bona fide seniority or merit systems that do not result in a disparate impact. Also provides that employers shall not prohibit employees from disclosing, discussing or inquiring about own wages or wages of other employees.  
SB 2313

HB 1911 **Family Leave Insurance Program; Family Leave Trust Fund; Designated Person** – Establishes a family leave insurance program, which shall be administered by the department of labor and industrial relations (“DLIR”), including the processing of claims. Requires employees to make contributions into a family leave trust fund for which the rate of contribution shall be the same as for temporary disability insurance. Provides that such funds are to be used to provide covered employees with up to 12 weeks per calendar year of paid family leave, up to a maximum of 66 2/3% of the employee’s average weekly wages. Expands HFLL in the following manner:  
SB 2477

- Increases leave from 4 to 12 weeks;
- Covers leave for new child through foster care;
- Expands definition of family member to include child or grandchild of a reciprocal beneficiary, child for whom a covered individual stands in loco parentis, siblings, grandchild, grandparents, parent or grandparent of a reciprocal beneficiary, or a person who stood in loco parentis when the covered individual was a minor; and
- Allows employee to select a “designated person” for whom the employee may provide care if the person has a serious health condition.

Provides that an employer who provides paid family leave beyond what is required by this measure may require that such leave run concurrently with HFLL, but shall not require the leave to be applied against accrued sick or vacation hours.

HB 1930 **Displaced Workers; Education and Training Program** – Re-establishes the state’s displaced worker education and training program to assist displaced workers who have been terminated as a result of a mass layoff or plant closure.

HB 2011 **Sick Leave Payroll Tax** – Establishes a sick leave payroll tax on each employee of an employer with 10 or more employees. Such tax shall be:  
SB 2290

- 0.025% of the salary of each employee who earned more than \$50,000 but less than \$100,000 during the year, or
- 0.05% of the salary of each employee who earned \$100,000 or more during the year.

Beginning in FY 2017-18, such moneys collected shall be used to provide sick leave benefits for up to five days per calendar year. Provides that sick leave benefits shall not be duplicated with temporary disability benefits.

HB 2014 **NAICS Records** – Requires employers to keep a record of the former physical addresses and current physical address of the employer and the North American Industry Classification System code applicable to the employer.  
HB 2368  
SB 2289  
SB 2897

HB 2122 **Unemployment Insurance Benefits** – Increases the maximum unemployment insurance benefit to 52 times the eligible individual’s weekly benefit amount.

- HB 2126 **Paid Sick Leave; Service Workers** – HB 2126 and SB 2447 apply to employers with \_\_\_ employees  
HB 2127 and HB 2127 and SB 2456 apply to employers with 50 or more employees in any one quarter in the  
SB 2447 previous year. All four bills provide for the following:  
SB 2456
- Covered employers must provide a “service worker” 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.
  - A “service worker” is defined as a non-exempt employee, including an employee of a food establishment, who is paid on an hourly basis, excluding day or temporary workers. Employees who did not work an average of 10 or more hours per week for the employer in the most recent calendar quarter are excluded.
  - Workers can carry over up to 40 hours of paid sick leave per year, up to an aggregate of 80 hours;
  - Employees may use paid sick leave upon the completion of the 680<sup>th</sup> hour of employment from January 1, 2017 if hired before January 1, 2017, or upon the completion of the 680<sup>th</sup> hour of employment from the date of hire if hired after January 1, 2017, unless the employer agrees to an earlier date.
  - Such leave can 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;
  - Notice of such leave rights required.
  - Employers shall be deemed to be in compliance if they offer any sick leave or other paid leave that provides greater rights than required, or have a sick leave policy approved by the director of the DLIR.

- HB 2128 **Family Leave Trust Fund; Designated Person** – Establishes a family leave insurance program,  
SB 965 which shall be administered by the DLIR, including the processing of claims. Requires employees  
SB 2961 to make contributions into a family leave trust fund equal to the employee contribution rate for the temporary disability insurance fund. Provides that such funds are to be used to provide covered employees with up to twelve weeks per calendar year of paid family leave, up to a maximum of 66 2/3% of the employee’s average weekly wages. Revises HFLL in the following manner:
- Increases leave from 4 to 12 weeks;
  - Provides coverage for individuals who are unemployed if they have worked within the last twenty-six weeks and otherwise meet the requirements of the HFLL;
  - Covers leave for new child through foster care;
  - Expands definition of family member to include child or grandchild of a reciprocal beneficiary, child for whom a covered individual stands in loco parentis, siblings, grandchild, grandparents, parent or grandparent of a reciprocal beneficiary, or a person who stood in loco parentis when the covered individual was a minor;
  - Provides leave for qualifying exigencies due to military-related reasons; and
  - Allows employee to select a “designated person” for whom the employee may provide care if the person has a serious health condition.

Also provides that an employer who provides paid family leave beyond what is required by this measure may require that such leave run concurrently with HFLL, but shall not require the leave to be applied against accrued sick or vacation hours.

- HB 2208 **Independent Contractors; DLIR Advisory Letters** - Requires DLIR to provide written determination letters to individuals and employers that have been the subjects of an unemployment insurance investigate describing why the individual is deemed to be an employee or independent

contractor. Authorizes individuals and employers to request an advisory opinion from DLIR explaining whether an individual could be deemed an employee or independent contractor. Requires DLIR to place redacted advisory opinions on its website. Requires DLIR to respond to an employer's appeal of a determination of employment status within 30 days or the appeal will be dismissed in favor of the employer.

HB 2209 **Employment Discrimination** – Specifies that employers may take adverse employment action  
HB 2444 against an employee for reasons other than those currently protected under Hawaii's anti-  
SB 3036 discrimination law as codified in Hawaii Revised Statutes ("HRS") Chapter 378.

HB 2722 **Unemployment Insurance; Additional Benefits** – Creates a temporary program providing  
SB 3038 additional benefits to unemployed workers by extending their unemployment insurance benefits.  
Provides that such additional benefits are available when:

- Regular benefits are exhausted,
- Individual filed claim for continued benefits,
- Week of unemployment falls within eligibility period,
- Individual cannot receive unemployment benefits under any other law, and
- Individual has met all other conditions of eligibility to regular benefits.

Also appropriates funds.

SB 232 **Non-Compete Agreements; Licensed Physicians** – Prohibits the use of non-compete agreements  
SB 2488 and restrictive covenants in employment contracts, post-employment contracts, or separation  
agreements that forbid post-employment competition of licensed physicians.

SB 234 SD1 **Retail Holidays; Discrimination Prohibited** – Makes it unlawful for an employer to suspend,  
discharge, or discriminate against an employee because the employee refused to work on a holiday  
that is traditionally reserved for family gatherings, such as Thanksgiving or Christmas, if scheduled  
to do so by the employer.

SB 355 **Non-compete Agreements; Continued Employment** – Prohibits post-employment restrictive  
covenants or agreements executed by an employee or agent after the commencement of employment  
as a condition of employment or continued employment.

SB 2531 **Employment of Minors; Prohibitions** – Prohibits minors from being employed during a school  
suspension. Prohibits minors who are sixteen and seventeen years of age from working more than  
twenty-eight hours per week and after 10:00 p.m. during the school week; provided that the director  
of labor and industrial relations may exempt the minor from the 10:00 p.m. curfew for financial  
hardship reasons. Prohibits minors who are fourteen or fifteen years of age from working more than  
twenty hours in a calendar week. Requires that an employer obtain a certificate of employment for  
any hired minor who is eligible to be employed. Repeals certificate of age requirement.

SB 2694 **Employment Security; Independent Contractor** – Clarifies and revises Hawaii's employment  
security law for independent contractors in the following manner:

- Includes twenty factors to be used as guidelines when determining whether an individual could be an independent contractor.
- Retains the ability of the DLIR to determine if an individual is an independent contractor.
- Requires the director of labor and industrial relations to report to the legislature prior to the regular session of 2017 regarding guidelines developed by the unemployment insurance coverage committee.
- Requires an annual report to the legislature regarding covered employment determinations.

SB 2717 **Right to Work** – Grants employees the right to refrain from union membership when their employer becomes organized by a union. Preserves the right to collective bargaining, mutual aid and other employee protections.

**Wage and Hour**

HB 953 HD1 **Wage and Hour Exemption** – Increases the amount of guaranteed monthly compensation required to exempt an individual from minimum wage, overtime and record keeping requirements under Hawaii wage and hour law from \$2,000 to \$2,400 per month.

HB 2010 **Special Minimum Wage** – Requires, rather than authorizes, the DLIR to adopt rules establishing special minimum wages and related standards and requirements for the employment of learners, apprentices, part-time employees who are full-time public or private school students, but no post-secondary school students, paroled wards of the Hawaii Youth Correctional Facility, and handicapped workers.

SB 2463 **Minimum Wage** – Increases the minimum wage to \$16.00 per hour beginning on January 1, 2020.

**Workers' Compensation**

HB 1815 **Workers' Compensation; DLIR Treatment Guidelines** – Repeals the requirement that the DLIR  
SB 2342 issue guidelines on the frequency of treatment and reasonable utilization of health care and services, and adopt updated medical fee schedules pertaining to workers' compensation.

HB 2017 **Workers' Compensation Treatment Plans; Electronic Submissions** – Allows physicians to  
SB 809 SD1 submit workers' compensation treatment plans to employers by facsimile, the internet, or secure electronic mail. Requires employers to accept electronically submitted treatment plans and provide an electronic receipt of the submission.

HB 2352 **Charter Schools; Workers' Compensation** – Requires charter schools to administer and pay  
SB 2881 charter schools workers' compensation claims and secure necessary funding to support payment for charter schools workers' compensation liabilities.

HB 2363 **Temporary Disability Insurance ("TDI") Exclusions; TDI and Workers' Compensation**  
SB 2892 **Penalties** – Several revisions to TDI and Workers' Compensation law, including:

- Prohibits employers from providing TDI coverage for themselves if they perform services for their own corporation, limited liability company, limited liability partnership, partnership, or sole proprietorship.
- Allows the Director of Labor and Industrial Relations to receive electronic reports of injuries and other workers' compensation required reports.
- Increases the penalty for failure to provide workers' compensation coverage or temporary disability insurance to either (1) \$500 or (2) \$100 per day per employee, whichever is greater.
- Also increases the penalties for failure to make correct or timely benefit payments, for terminating such benefits, for failure to file medical reports, for employer's failure to provide copies of requested medical reports, and for the deduction of premium payment from employee wages.

- HB 2364 **Workers' Compensation; Compromise** – Amends the repeal date for the provision in HRS 386-  
SB 2893 78(a) that provides that compromises for workers' compensation claims reached as a result of a third-party liability claim or action do not require the approval of the Director of Labor and Industrial Relations. New repeal date is June 30, 2017.
- HB 2716 **Workers' Compensation Insurance; State as Insurer; HEMIC Repeal** – Establishes a public corporation attached to the DLIR to provide workers' compensation insurance. Requires employers to obtain work comp coverage only from the public corporation or be self-insured. Repeals HEMIC.
- SB 169 **HEMIC Repeal** – Repeals HEMIC. Provides for continuing operation of HEMIC for existing policies only.
- SB 170 **Workers' Compensation; Coordinated Care Organizations** – Authorizes groups of health care providers to organize as coordinated care organizations for the provision of medical care, services, and supplies under Hawaii workers' compensation law.
- SB 766 **Workers' Compensation; Independent Medical Examinations** – Requires that a physician selected and paid for by an employer to conduct a medical examination for workers' compensation purposes shall be actively treating at least ten patients in a one-month period; be actively treating at least 50 per cent of the physician's total patient load 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, not including patients being seen for workers' compensation purposes.
- SB 803 SD1 **Workers' Compensation; Impartial Physician Examination** – 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. Appropriates funds.

**Health and Insurance; Prescription Drugs**

- HB 1043 **Long-term Care Facilities; Cost Increase; Inflationary Adjustment** – Provides an inflationary  
SB 2396 adjustment to the methodology used to reimburse facilities for the long-term care of Medicaid recipients for fiscal year 2016-2017.
- HB 1176 HD2 **Prescription Drugs; Limitations** – Prohibits doctors and podiatrists from prescribing more than three sequential thirty-day prescriptions totaling a ninety-day supply of a schedule II controlled substance. Prohibits refills of a schedule III controlled substance more than five times.
- HB 1681 **Prescription Drugs; Hawaii Rx Program** – Establishes pharmaceutical discount program for all state residents under which State obtains manufacturers' rebates on drugs that are offered at discounted prices to program participants. Provides reimbursement to participating pharmacists. Establishes special fund. Appropriates moneys.
- HB 1682 **Prescription Drugs; Rx Plus Program** – Establishes the Rx Plus Program to make prescription drugs more affordable to all residents of the State of Hawaii.
- HB 1707 **Rate Filings; Claims Data; Disclosure** – Requires the insurance commissioner and health insurers,  
SB 3083 mutual benefit societies, and health maintenance organizations to make public disclosure of rate filings information prior to a rate increase. Requires health insurers, mutual benefit societies, and

health maintenance organizations to disclose aggregated claims data to group purchasers upon request.

- HB 1740 **Medicare; Physicians** – Requires physicians practicing medicine or surgery in Hawaii to accept Medicare patients.
- HB 1755 **Advance Practice Registered Nurses** – Amends various statutes to clarify the role of advanced practice registered nurses with regards to their authority and participation in the health care system. Amends definitions in the statutes to conform with the duties and responsibilities of advanced practice registered nurses.  
SB 2672
- HB 1757 **Prescription Drugs; Pharmacy; Customized Patient Medication Packages** – Authorizes a pharmacy to provide a customized patient medication package to any patient of an institutional facility or any member of the general public, subject to certain conditions.
- HB 1759 **Medicaid; Health Insurance; Payment** – Requires health insurers to promptly pay clean claims for services and repeals the exemption of Medicaid claims from the clean claims definition.  
SB 2667
- HB 1854 **Colorectal Cancer Screening and Awareness Program** – Creates the colorectal cancer screening and awareness program within the department of health and appropriates funds for the program.  
SB 2687
- HB 1859 **Eating Disorders; Health Coverage** – Requires health benefit plans to provide coverage for the diagnosis and treatment of eating disorders, including pica, rumination disorder, avoidant or restrictive food intake disorder, anorexia nervosa, bulimia nervosa, binge eating disorder, or any other specified feeding or eating disorder.
- HB 1879 **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, hospital employees, and consultants or contractors that have a contractual relationship with a hospital with immunity regarding caregiving.
- HB 1895 **Contraceptives** – Requires insurers to cover a three-month period for the first dispensing of prescription contraceptive supplies to an insured. Requires insurers to cover a twelve-month period for the subsequent dispensing of the same contraceptive supply to the insured.  
HB 2133  
SB 2319  
SB 2432
- HB 1896 **Pharmacists; Prescriptive Authority; Contraceptives** – Authorizes pharmacists to prescribe and dispense contraceptive supplies to persons under eighteen years of age or older. Specifies requirements pharmacists must meet prior to prescribing and dispensing contraceptives. Requires all insurers in the state and Medicaid managed care programs to reimburse pharmacists who prescribe and dispense contraceptives.  
SB 2320
- HB 1897 **STD Screening; Annual Exams; Health Insurance** – Ensures insurance coverage for sexually transmitted disease screenings, including screenings for human immunodeficiency virus and acquired immunodeficiency syndrome, during a female insured’s annual pelvic exam.  
SB 2323
- HB 1910 **HPV; Health Insurance** – Requires a child to receive at least one dosage of the human papillomavirus vaccine prior to attending seventh grade, beginning with the 2017-2018 school year. Authorizes pharmacists to prescribe and administer the human papillomavirus vaccine to persons between eleven and seventeen years of age. Specifies requirements pharmacists must meet prior to administering the human papillomavirus vaccine. Requires all insurers in the State, including health

benefits plans under HRS Chapter 87A, and Medicaid managed care programs, to reimburse the costs of human papillomavirus vaccination services.

- HB 1944 **Telehealth; Insurance; Medicaid** – Requires the State's Medicaid managed care and fee-for-service programs to cover services provided through telehealth. Specifies medical professional liability insurance policy requirements with regard to telehealth coverage. Clarifies requirements for establishing provider-patient relationships for telehealth for purposes of reimbursement. Specifies reimbursement requirements for distant site and originating site providers. Requires written disclosure of coverages and benefits associated with telehealth services. Ensures telehealth encompasses store and forward technologies, remote monitoring, live consultation, and mobile health. Ensures telehealth is covered when originating in a patient's home and other non-medical environments. Clarifies requirements for physicians and out-of-state physicians to establish a physician-patient relationship via telehealth. Ensures reimbursement requirements for telehealth services apply to all health benefits plans under HRS Chapter 87A. Makes other conforming amendments related to telehealth.
- SB 2395
- HB 1952 **Out-of-Network Providers; Surprise Bills; Dispute Resolution** – Establishes a dispute resolution process by which a dispute for a bill for emergency services or a surprise bill may be resolved. Specifies disclosure requirements for health care professionals and health care facilities, including estimated costs for health care services and information on participating provider networks. Specifies that an insured shall not be liable to a health care provider for any sums owed by an insurer. Specifies that an insurer who receives emergency services from a nonparticipating provider shall not incur greater out-of-pocket costs for the emergency services than the insured would have incurred with a participating provider. Specifies additional disclosure requirements for health insurance plans, including payment methodologies and updated participating provider directories. Requires health insurance plans to provide at least one option for coverage for at least eighty per cent of the usual and customary cost of each out-of-network health care service in inadequate network situations.
- SB 2668
- HB 1980 **Terminal Illness; Investigational Drugs** – Grants terminally ill patients access to potentially life-saving investigational drugs, biological products, and devices that are only accessible through clinical trials.
- SB 2713
- HB 2084 **Health Insurance Discrimination; Gender Identity** – Prohibits health insurers, mutual benefit societies, and health maintenance organizations from discriminating with respect to participation and coverage under a policy, contract, plan, or agreement against any person on the basis of actual gender identity or perceived gender identity.
- SB 2666
- HB 2220 **Health Insurance; Lifestyle and Nutrition Programs** – Requires health insurance coverage for lifestyle and nutrition programs intended to treat various conditions, including but not limited to cardiovascular disease, diabetes, blood pressure, and diabetes-related blood sugar issues.
- SB 2283
- HB 2361 **Premium Supplementation Trust Fund** – Makes an appropriation of \$500,000 to replenish funds in the Premium Supplementation Trust Fund to cover the costs of health care expenses for eligible employees and for premium supplementation for employers that are entitled to premium supplementation under the Prepaid Health Care Law.
- SB 2890
- HB 2577 **Telehealth; Telemedicine; Health Insurance; Physicians** – Requires patient approval prior to the delivery of any medical services through telehealth. Prohibits health insurance companies from limiting the setting where telehealth services are provided or requiring in-person contact between a patient and physician before the delivery of telehealth services.
- SB 2469

- HB 2740 **Health Insurance; Preauthorization** – Prohibits health insurance preauthorization requirements that cause undue delay in receipt of medical treatment or services. Specifies that insurers, but not health care providers, are liable for civil damages caused by undue delays for preauthorization.
- SB 117 SD1 **Uninsured and Underinsured; Funding** – Appropriates funds for direct health care, including primary medical, dental and behavioral services, for uninsured and underinsured patients at community health centers.
- SB 236 **Insurance Coverage; Orofacial Anomalies** – Requires each individual or group accident and health or sickness insurance policy and hospital or medical service contractor used or renewed after December 31, 2015 to provide coverage for medically necessary orthodontic services for the treatment of orofacial anomalies.
- SB 306 **Insurance Coverage; Orofacial Anomalies** – Requires health insurance coverage of orthodontic treatment for orofacial anomalies.
- SB 585 **Terminally Ill Patients; Investigational Drugs** – Allows manufacturers of investigational drugs, biological products, or devices to make available such drugs, products, or devices to terminally ill patients under certain conditions.
- SB 2181
- SB 724 **Insurance Premium Tax; Mutual Benefit Societies and Health Maintenance Organizations** – 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.
- SB 781 **Embryo, Oocyte, and Sperm Cryopreservation; Insurance Coverage** – Requires insurance coverage for embryo, oocyte, and sperm cryopreservation procedures to preserve the fertility of adults diagnosed with cancer who have not yet started cancer treatment.
- SB 787 **Infertility Procedure Coverage** – Appropriates funds to the auditor to conduct a study on the effects of requiring insurers to cover infertility procedures.
- SB 789 **IVF; Insurance Coverage** – Provides insurance coverage for women who are diagnosed with infertility and providing them with expanded treatment options.
- SB 963 SD1 **Hearing Aids; Insurance Coverage** – Requires health insurance policies and contracts issued after 12/31/15 to provide coverage for the cost of hearing aids at a minimum of \$1,500 per hearing aid for each hearing-impaired ear every thirty-six months.
- SB 924 SD1 **Cognitive Rehabilitation; Brain Injury; Insurance 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. Defines "cognitive rehabilitation therapy".
- SB 2287 **Health Plan Provider Network** – Requires health care plan carriers to maintain directories of all participating network providers to ensure accessibility and transparency to enrollees seeking care. Requires information to be made more accessible to enrollees upon enrollment. Repeals discretion of insurance commissioner to request managed care plans to demonstrate adequacy of its provider network for purposes of listing with the Hawaii health connector.

- SB 2376 **Prescription Drugs; Non-Network Pharmacies** – Authorizes a beneficiary of a prescription drug benefit plan to obtain a prescription without penalty from a non-network retail community pharmacy located within ten miles of the beneficiary's residence, if the nearest network retail community pharmacy is located over ten miles away.
- SB 2390 **Prescription Drugs; Customized Patient Medication Packages** – Authorizes a pharmacy to provide a customized patient medication package to any patient of an institutional facility or any member of the general public, subject to certain conditions.
- SB 2665 **Health Savings Account Program; Insurance Code; Mutual Benefit Society; HMO** – Authorizes employers to establish group health savings accounts in addition to group accident and health or sickness insurance policies, group hospital and medical service plan contracts, and HMO plans issued or renewed after July 1, 2016.

**Hawaii Health Connector; Affordable Care Act (“ACA”) Waiver**

- HB 2365 **Hawaii Health Insurance Programs; PPACA Education** – Establishes the Hawaii State Health Insurance Programs, and a State Health Insurance Exchange for the purpose of the State effectuating the Patient Protection and Affordable Care Act and the Prepaid Health Care Act (“PPACA”); Repeals the Hawaii Health Connector Law; provides appropriations to the DLIR and the Department of Human Services (“DHS”).
- SB 2894
- HB 2370 **ACA; Waiver by Governor** – Authorizes the Governor to submit and implement a waiver from certain provisions of the ACA.
- SB 2899
- HB 2478 **ACA; Waiver by State** – Authorizes the state to submit and implement a waiver from certain provisions of the ACA.
- SB 2775
- HB 2479 **Hawaii Health Connector; Repeal** – Repeals the Hawaii Health Connector and associated references in the HRS.
- SB 2383
- HB 2480 **Hawaii Health Insurance Exchange; Hawaii Health Connector Repeal** – Establishes the state health insurance exchange, known as the Hawaii Health Insurance Programs. Establishes the ACA Legislative Oversight Committee. Repeals the Hawaii Health Connector Law. Appropriates funds to carry out the purposes of the Act.
- SB 2984

**Hawaii Health Systems Corporation (“HHSC”)**

- HB 1719 **HHSC; Regional System Facilities; Public-Private Partnerships** – Extends to all HHSC regional systems the authority of the executive branch to transfer the management of facilities of a regional system to a nonprofit management entity.
- SB 2459 **HHSC; Essential Health Services; Transfer to Private Nonprofit Management Entity** – Requires any of the regional systems or individual facilities of the Hawaii health systems corporation interested in transitioning into a new legal entity to submit evidence demonstrating imminent cuts to services to the director of health and governor at least sixty days prior to pursuing transition. Defines "essential health services". Requires the State to fund essential health services provided by the Maui regional system before the transfer completion date.

**Medical Marijuana; Decriminalization of Marijuana**

- HB 1829 **Medical Marijuana Penalties** – Reduces penalties pertaining to medical marijuana prohibitions from a felony to a misdemeanor. Repeals certain medical marijuana prohibitions regarding unauthorized access to retail dispensaries and production centers.
- HB 1833 **Controlled Substances; Marijuana; Hashish** – Excludes hashish, tetrahydrocannabinol (THC),  
SB 2424 and THC derivatives from the definition of "marijuana" as used in the Uniform Controlled Substances Act and from the definitions of "marijuana" and "usable marijuana" as used in the medical marijuana law. Defines "hashish" and "marijuana concentrate" in the Uniform Controlled Substances Act. Defines "hashish" for purposes of offenses related to drugs and intoxicating compounds.
- HB 2222 **Medical Marijuana; Debilitating Conditions** – Amends the definition of “debilitating medical  
SB 3009 condition” to include conditions for which medical use of marijuana has been recommended by a physician who has determined that the patient’s health would benefit from the use of marijuana, provided that such medical marijuana shall have a THC potency that does not exceed five-percent.
- HB 2709 **Medical Marijuana; Temporary Registration Certificate; Fraudulent Misrepresentation** –  
SB 2177 Requires the department of health to issue a receipt that shall serve as a temporary registration certificate for the medical use of marijuana upon receipt of a written certification form completed by or on behalf of a qualifying patient. Increases penalty for fraudulent misrepresentation to a law enforcement official relating to the issuance of a written certificate by a physician.
- SB 189 SD1 **Marijuana; Rescheduling** – Reclassified marijuana from a schedule I to a schedule II controlled substance.
- SB 383 **Legalization of Marijuana; Minors** – Repeals criminal and civil penalties related to marijuana. Prohibits the furnishing of marijuana to a minor. Allows the cultivation of marijuana on private property. Prohibits counties from prohibiting the cultivation of marijuana on private property.
- SB 596 SD1 **Decriminalization of Marijuana** – 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 under certain conditions. 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 873 **Legalization of Marijuana** – Legalizes the personal use of marijuana in a specified quantity. Requires licensing to operate marijuana establishments. Subjects marijuana establishments to excise taxes and income taxes.
- SB 2176 **Medical Marijuana Oversight Committee** – Establishes the Hawaii medical marijuana oversight committee. Requires the committee to evaluate the implementation of medical marijuana, including

the impact on patients, the effectiveness of regulatory safeguards, and possible areas of expansion for the medical marijuana program.

- SB 2178 **Medical Marijuana; Debilitating Conditions** – Allows arthritis, anxiety, insomnia, and stress to be included among the debilitating medical conditions for which an individual may be authorized to use medical marijuana.
- SB 2581 **Legalization of Marijuana** – Legalizes the personal use of one ounce or less of marijuana. Requires licensing to operate marijuana establishments. Subjects marijuana establishments to excise taxes and income taxes.
- SB 2656 **Marijuana; Decriminalization** – Establishes a civil penalty for possession of one ounce or 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.

### **Contractors**

- HB 129  
SB 838 **Contractors; Licensure Requirements** - Allows the contractors license board to accept in lieu of a specific 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.
- SB 5 **Professions and Vocations; Classes and Licensure** – 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 164 **Contractors; Incidental Work** – Prohibits general engineering contractors and general building contractors from performing incidental or supplemental work. Requires general engineering contractors and general building contractors to engage an appropriate specialty contractor to perform incidental work for which the cost is not more than the lesser of 1% of the total contract or \$100,000.
- SB 548 **Contractors; General Building Contractors; Specialty 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 726 **Bid Shopping; Subcontractor Listing Requirement** – 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.
- SB 839 **Contractors; Incidental Work** – Prohibits a general engineering and general building contractor from doing any work that requires it to act as a specialty contractor in an area the general contractor is not licensed to operate, for which the cost is not more than 0.5% of the total contract.
- SB 1055 **Ironworkers; Licensure** – Regulates ironworkers in the State by: establishing a board of ironworkers; requiring licensure for master ironworkers and journeyman ironworkers in Hawaii; and setting minimum qualification and continued competency requirements for licensure of ironworkers.

**Public Works Contracts**

- HB 2437 **Procurement Code; Veteran Owned and Service-Disabled Veteran-Owned Businesses** – Requires that a percentage of the annual purchasing expenditure of the State set-aside for small businesses be awarded to veteran-owned and service-disabled veteran-owned small businesses, in addition to any other preferences provided under the Procurement Code for such businesses.
- HB 2471 **Leased Public Lands; Wages and Benefits** – Requires lessees of public lands with a lease in excess of \$5,000 to meet certain salary, hourly, and employment condition thresholds for employees providing services on the leased land, including wages or salaries not less than the wages paid to public employees for similar work.
- HB 2541 **Competitive Sealed Bidding; Joint Contractor and Subcontractor** – Provides a bidder of a public works construction project with two working days after the closing of bids to provide the name of each person or firm to be engaged by the bidder as a joint contractor or subcontractor and the nature and scope of the work to be performed by each joint contractor or subcontractor.
- SB 3093
- HB 2473 **Public Works; Penalties** – Changes the penalties for government contractors who violate wage and hour laws to \$1,000 for the first offense and 10% of the contract amount for the second offense.
- SB 2723
- HB 2474 **Prevailing Wages** – Requires contracts for construction on public lands to comply with wage and hour requirements set forth in HRS Chapter 104.
- SB 2724
- HB 2544 **Procurement Code; Construction; Federal Requirements** – Subjects the procurement of construction contracts to the federal procurement laws.
- HB 2628 **Public Contracts; Tax Clearances** – Provides that, for public contracting purposes, a contractor’s tax clearance is valid for one year from the date the procuring agent receives the clearance from the contractor.
- SB 2209 **Employment Preference; Persons with Disabilities** – Establishes a preference to bidders who employ persons with disabilities. Appropriates funds.
- SB 3092 **Procurement Officers; Competitive Sealed Bidding; Subcontractors** – Authorizes procurement officers to permit clarification of a listed subcontractor's scope of work and consider a previously licensed and listed subcontractor's license as valid; provided that certain conditions are satisfied.

**Public Employees**

- HB 1953 **Communicable Diseases; Required Testing** – Authorizes public sector employees and volunteers who may have been exposed to a communicable disease through contact with bodily fluids in the course of their duties to petition a court for an order requiring testing of the person or decedent who is the source of the possible exposure. Limits disclosure of test results.
- SB 2391
- HB 2440 **Disabled Veterans; Medical Leave** – Provides leave to any new State employee who is a veteran with a service-connected disability rated at 30% or more for purposes of undergoing medical treatment for such disability.
- SB 2099 **Workplace Violence; Public Agencies** – Requires employees of public agencies to report any incident of workplace violence. Establishes penalties for non-compliance.

**Government Agencies**

- HB 2009 **DLIR; Hoisting Machine Operators** – Repeals the Hoisting Machine Operators' Certification Revolving Fund and the position of the executive director. Tasks the DLIR with the responsibility of administrative duties for the Hoisting Machine Operators Advisory Board. Allows the Hoisting Machine Operators Advisory Board to establish fees for the issuance of permits or certificates by administrative rule.
- HB 2113 **Department of Human Resources Development (“DHRD”); Grievances** – Requires DHRD to  
SB 2455 submit an annual report to the legislature on the number of grievances filed by public employees.
- HB 2161 **DLIR; Workers’ Compensation Hearing Officers** – Appropriates funds for the hiring of six  
SB 2215 hearing officer positions and support staff within the DLIR’s disability compensation division and to provide the officers and staff with legal and medical training.
- HB 2186 **Workforce Development; Dislocated Workers; Maui** – Directs and appropriates funds for the  
DLIR to provide workforce development, worker training and retraining, and other dislocated worker assistance programs for workers affected by the cessation of sugar production on Maui.
- HB 2360 **Hawaii Healthcare Workforce Advisory Board** – Specifies that the nursing member of the Hawaii  
SB 2889 Healthcare Workforce Advisory Board is the Executive Director of the Hawaii State Center for Nursing.
- HB 2362 **Workforce Development Council** – Conforms the State Workforce Development Council Law to  
SB 2891 new federal requirements in the Workforce Innovation and Opportunity Act of 2014 (WIOA), Public Law 113-128, which supersedes the Workforce Investment Act of 1998 (WIA).
- HB 2366 **Hawaii Civil Rights Commission (“HCRC”); Investigation and Conciliation of Complaint** –  
SB 2895 Authorizes the HCRC 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. Amends the Executive Director's authority with respect to fair housing to comply with the federal Fair Housing Act.
- HB 2367 **Hawaii Labor Relations Board (“HLRB”); Service of Process** – Allows the HLRB the option of  
SB 2896 serving complaints and notices of hearings via first class mail and also allow service by electronic means.
- HB 2369 **DLIR; Appropriation** – Makes an emergency appropriation for fiscal year 2015-2016 for the DLIR  
SB 2898 and the DHS to cover short-term costs required to comply with the ACA.
- HB 2390 **Department of Public Safety; Lie Detector Tests** – Amends Chapter 378 to include the Department  
SB 2919 of Public Safety in the exceptions for prohibitions on the use of lie detector tests and psychological tests.
- HB 2472 **Wage Standards Division; Enforcement Personnel** – Appropriates funds for five labor law  
SB 2725 enforcement specialist positions for the DLIR wage standards division for enforcement of Hawaii labor laws, including wage and hour laws on public works construction projects.
- HB 2475 **DLIR; Maritime Industry Grant Program** – Establishes a maritime industry grant program within  
the DLIR. Establishes criteria for the awarding of grants.
- HB 2540 **Working Disabled Adults Pilot Program; Medicaid Buy-In Program for Workers with**  
SB 3082 **Disabilities** – Establishes within DHS a two-year working disabled adults pilot program to be

repealed on June 30, 2017. Establishes a Medicaid buy-in program for workers with disabilities to be implemented once the pilot program is complete. Appropriates funds for the working disabled adults pilot program.

- HB 2642 **Employment Training; Rapid Response** – Establishes a rapid response training program within department of business, economic development and tourism (“DBEDT”) to facilitate the development of a rapid response training capacity in Hawaii that will be capable of developing and delivering short-term customized training programs which cannot be provided in a timely fashion by existing training programs.
- HB 2700 **Health Care Task Force; Fair Labor Standards Act; Direct Care Workers** – Establishes a Health Care Task Force to examine the impact of federal rules extending minimum wage and overtime pay protections under the Fair Labor Standards Act to direct care workers who provide essential home care services to persons with disabilities and older adults.
- SB 111 **Farm Worker Subsidy Program** – Establishes and appropriates funds for the farm worker subsidy program within the department of agriculture to encourage growth and consumption of local food and increase employment of entry-level farm workers in Hawaii by providing a wage subsidy. Establishes the farm worker special fund.
- SB 2457 **DLIR; Disability Compensation Division** – Appropriates funds for two full-time equivalent positions in the disability compensation division of the DLIR.
- SB 2527 **DLIR; Workforce Development; Hawaii Employment Advancement Right Now Program; State Employment Advancement Strategy; Train Hawaii Website** – Establishes the EARN Hawaii program to administer grants to strategic industry partnerships for job skills training. Requires DLIR to develop and implement a state employment advancement strategy. Requires DLIR to develop the "Train Hawaii" website. Requires DLIR to convene a working group of stakeholders to advise on the initial develop and implementation of the EARN Hawaii program. Makes an appropriation.
- SB 2648 **Unemployment Reporting; DLIR** – Requires the DLIR to report U-6 figures alongside U-3 figures in the main text of reports and press releases related to the State’s unemployment rate. U-3 figures means the total unemployed as a percentage of the civilian labor force. U-6 figures are the total unemployed plus all persons marginally attached to the labor force plus total employed part-time for economic reasons, as a percentage of the civilian labor force plus all persons marginally attached to the labor force.

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

- HB 1640 **Homeless Job Training; Tax Credit** – Requires the DLIR to establish a stipend program for qualified individuals currently enrolled in job training programs. Requires the DCCA to establish a program to offer insurance policies to landlords to rent to section 8 tenants. Establishes a tax credit for sellers who convey an interest in real property to a qualified first-time homebuyer.
- HB 1870 **Disabled Individuals; Tax Credit** – Provides a taxpayer who hires an individual with a disability with a nonrefundable tax credit for the six-month period after the individual is initially hired by the taxpayer. An individual with a disability is one who have a physical or intellectual impairment that substantially limits one or more major life activities, having a record of that impairment, or being regarded as having that impairment, provide the impairment is certified by a qualified physician.
- SB 2219

- HB 1871 **Elderly Employees; Tax Credit** – Provides a taxpayer who hires an individual who is 60 years of age or older with a nonrefundable tax credit for the six-month period after the individual is initially hired by the taxpayer.
- HB 1913 **GET Exemption; Small Businesses** – Exempts qualified small businesses from the GET where the gross income of the small business does not exceed \$50,000 annually and is domiciled in the state, formed to make a profit, independently owned and operated, employs fewer than 100 full-time employees, and obtains a certificate of tax clearance from the department of taxation.
- HB 1915 **GET; Intermediary Business Transactions; Repeal** – Repeals the GET on all intermediary  
HB 1973 business transactions.  
SB 946  
SB 2705
- HB 1916 **Repeal of Corporate Income Tax** – Repeals the corporate income tax.  
HB 1977  
SB 958  
SB 2709
- HB 1927 **Solar Tax Credit; Schools** – Allows a tax credit for individual and corporate taxpayers that provide either solar-powered air conditioning or solar energy systems specifically designed to provide electricity for air conditioning units for schools.
- HB 2486 **Kapolei Jobs Initiative; Tax Credit** – Establishes a Kapolei jobs initiative program that offers tax  
SB 2658 incentives to increase the number of businesses willing to establish or relocate themselves in the Kapolei region.
- HB 2551 **Tax Credit; Manufacturing in Hawaii** – Establishes an income tax credit for taxpayers who incur  
SB 1365 certain expenses for manufacturing products in Hawaii.
- HB 2599 **Tipped Employees; Income Tax Exemption** – Provides an income tax exemption for the first \$10,000 of income derived from tips received by a tipped employee.
- HB 2667 **Corporate Income Tax; Reduction** – Reduces the corporate income tax rate by 50%. Allocates  
SB 3012 50% of the corporate income tax revenues to DBEDT and 50% to the general fund.
- HB 2692 **GET Exemption; Mass Transit Disruption** – Establishes a general excise tax exemption for businesses affected by construction from a county mass transit project.
- SB 177 **National Guard; Insurance; Tax Credit** – Establishes an employer income tax credit for 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.
- SB 2274 **Full-Time Employment Incentive; Small Businesses** – Allows the department of taxation to provide a \$1,000 refund to Hawaii business with less than 100 employees who hire 90% or more of its employees as full-time employees for the duration of each taxable year.

- SB 2276 **GET Exemption; Health Expenses** – Exempts from the GET gross proceeds from the sale of certain goods and services related to health expenses, which include certain goods or professional services provided by hospitals, medical clinics and facilities that are licensed by the appropriate state agencies.
- SB 2548 **Income Tax and Financial Institutions Tax Credits, Exclusions and Deductions** – Requires the Auditor to periodically review certain credits, exclusions, and deductions under the income tax and financial institutions tax. Assesses a surcharge on certain taxpayers who file returns and benefit from credits, exclusions, and deductions. Exempts from the surcharge low-income taxpayers who claim the food/general excise tax credit and renter's tax credit, and taxpayers who claim credits for employment-related expenses for household and dependent care services or for the purchase of child passenger restraint systems. Requires the deposit of the surcharge into the audit revolving fund.
- SB 2655 **GET Returns** – Amends the date of filing of monthly, quarterly, semiannual, and annual general excise tax returns from the 20th day of the respective applicable month to the last day of the month.

**Miscellaneous**

- HB 1044 **Sexual Assault; Supervisors** – Amends sexual assault in the fourth degree to include persons who abuse their position of trust, power, authority, or supervision of a person who is 16-17 years of age, provided that the person is not less than five years older than the minor and not legally married to the minor.
- HB 1577 **Absolute Liability; Golf Courses** – Establishes absolute liability for golf courses for off-property damage caused by golf equipment. Provides affirmative defense where damage was caused by a person who trespassed on the golf course or by a person who acted negligently.
- HB 1626 **Private Detectives; Private Guards** – Prohibits private detectives and private guards from self-identifying as law enforcement officers, police, or police officers and wearing or using any badge, uniform, equipment, vehicle, or other accoutrement capable of being associated with that of a law enforcement officer employed by a government law enforcement organization.
- HB 1641 **Driver's License and ID Cards; Persons with Disabilities** – Authorizes the examiner of drivers to include information about a person's disability on the person's driver's license or civil identification card.  
SB 2119
- HB 1660 **Restitution; Income-Withholding** – Creates standards and procedures for income-withholding for purposes of enforcing restitution orders. Amends the definition of "debt" relating to the recovery of money owed to the State to include court-ordered restitution subject to civil enforcement. Provides priority of income withholding orders. Extends victims' access to adult probation records to include access to payment compliance records. Requires that any bail posted by a defendant be applied toward payment of any court-ordered restitution in the same case. Appropriates funds.  
SB 2014
- HB 1756 **Nursing; Criminal History Check** – Establishes criminal history check requirements for all nurse licensure, including licensure renewal and applicants. Authorizes the state board of nursing to develop rules necessary to implement the required criminal history record checks.
- HB 1791 **Driver's Licenses and ID Cards; Disabilities** – Authorizes the department of transportation to include information about a person's disability on their driver's license or civil identification card.

- HB 1798 **Freedom of Information Act; Certified Copies** – Requires state agencies, upon request, to provide certified copies of documents available under the Uniform Information Practices Act. Requires the office of information practices to adopt rules that set forth fees and other changes for certifying disclosable records.
- HB 1912 **Administrative Rules Task Force** – Establishes a task force to review administrative rules and recommend the repeal of rules that are no longer statutorily authorized.
- HB 2096 **Unauthorized Practice of Law** – Provides that an attorney who knows that a person, firm, association, or corporation has committed the unauthorized practice of law shall inform the appropriate professional authority or court, notwithstanding any applicable privileges.
- HB 2196 **Driver’s License; Korean Conflict Veterans** – Authorizes the issuance of driver’s licenses with the notation of veteran for person who are veterans of the Korean conflict.  
SB 2256
- HB 2641 **Domestic Violence Hotline; Workplace Posting** – Requires the DHS to create a domestic violence call sheet with a domestic violence legal hotline number and domestic violence shelter hotline number. Requires all employers to post the call sheet in the workplace. Requires both departments to make an electronic version available on their websites. Creates a fine of \$100 for employers for failure to comply.  
SB 3056
- HB 2647 **Work for a Day Pilot Program** – Establishes a three-year Work for a Day Pilot Program to be administered by the City and County of Honolulu that provides homeless individuals with work opportunities of menial labor, such as landscape and ground beautification, trash collection and median clean up.
- HB 2660 **Vexatious Litigation** – Amends the definition of vexatious litigation by altering criteria based on the amount of civil actions brought during a period of time to the filing of \_\_ civil actions within a \_\_ year period.
- HB 2764 **Religious Freedom Restoration; Marriage** – Provides that government should not substantially burden religious exercise without compelling justification. Establishes protections for religious freedom, including in the laws concerning public accommodations and marriage.
- SB 131 **Genetically Engineered Material; Labels** – Establishes labeling requirements for any food or raw agricultural commodity sold in the State that contains a genetically engineered material, or was produced with a genetically engineered material; establishes exceptions; establishes violations; requires director of health to adopt rules.  
SB 875  
SB 2577
- SB 182 **Drivers’ License; Veteran Status** – Allows veterans to use a U.S. Department of Defense DD Form 214 Uniformed Services or U.S. Department of Veterans Affairs Veteran Health photo-ID card as sufficient proof of veteran status for the purpose of notating veteran status on a driver’s license or a state civil identification card.
- SB 338 **Commuter Benefits Program** – Allows the counties to adopt and offer one or more of three commuter benefit options: a pre-tax program, an employer-paid benefit program, and an employer-provided transit program. Defines terms used within the section.
- SB 601 **Rights to Privacy; Recordings** – 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. Maintains a one-party consent exception

for a person acting under color of law or when necessary to protect a person from threat of harassment or abuse.

- SB 700 **Public Accommodations; Nonprofit Exemption** – Exempts duly organized nonprofit corporations from the discrimination on public accommodations law in connection with making goods, services, or facilities available to the general public.
- SB 940
- SB 712 **Enterprise Zones; Genetically Engineered Products** – Makes the research, development, sale, production, or processing of genetically engineered agricultural products not for direct human consumption as food ineligible for tax and other incentives granted to certain businesses located in enterprise zones.
- SB 869 **Credit Card Surcharge** – Prohibits retailers from imposing credit card surcharges in any sales, service or lease transaction in lieu of payment by cash, check or similar means; provided 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.
- SB 874 **Genetically Engineered Seeds and Plant Parts; Prohibition** – Prohibits the planting of a genetically engineered seed or plant part in an open field. Allows the chairperson of the board of agriculture to grant an exception where such planting is done in a controlled environment.
- SB 2575
- SB 884 **Genetically Modified Organism; Disclosure** – Requires a biotechnology company that sells a genetically modified organism that the company knows or has reason to believe will be used to produce an agricultural commodity to provide written disclosure of possible risks from the use of such an organism; written notice does not waive any liability a biotechnology company may have toward a purchaser.
- SB 2574
- SB 885 **Genetic Engineering; Precautionary Principle** – Mandates the department of agriculture to take precautionary measures to anticipate, prevent, or minimize the adverse effects of biotechnology and genetic engineering.
- SB 2576
- SB 1148 **Cybersecurity Training; Appropriation** – Establishes a cybersecurity employment training initiative within the University of Hawaii community college system to support federal and private sector requirements in cybersecurity and related disciplines. Appropriates funds.
- SB 1186 **Security Breaches; Personal Information; Notice** – 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. "Personal information" to also include medical information; health insurance information; or online username, electronic mail address or social media username in combination with a password that would permit access to an online account.
- SB 1315 **Labeling Genetically Engineered Foods; Private Civil Enforcement** – Requires labeling of foods that have been genetically engineered. Provides a penalty for violations and authorizes private civil enforcement of the Act.
- SB 1321 **Genetically Engineered Food; Labeling** – Requires all genetically engineered food to be labeled with a disclosure stating that it is "Produced with Genetic Engineering." Deems any genetically engineered food sold without the required disclosure to be misbranded and subject to penalties.

- SB 2144 **Temporary Telecommuting Task Force** – Establishes a temporary telecommuting task force to develop incentives and recommendations to encourage and expand telecommuting opportunities in the public and private sectors.
- SB 2544 **Professional Employer Organizations; Fees** – Establishes a sliding scale based upon the average annual count of covered employees for the biennial renewal fees for professional employer organizations.
- SB 2680 **Financial Institutions** – Clarifies HRS Chapter 412 relating to fees for financial institutions.
- SB 2718 **Limited Purposes Driver’s License; Repeal** – Repeals law providing for the issuance of limited purpose driver’s licenses.
- SB 3052 **Insurance; Independent Medical Examinations** – Modifies the insurance code to require that all liability insurance policies must specify that when an examination of an injured party is requested by the insurance company, the selection of the examining doctor is made by mutual agreement. Authorizes the insurance commissioner or circuit court to select an independent medical examiner in the event a mutual agreement is not reached.
- SB 3053 **Sex Abuse of a Minor; Statute of Limitations** – Extends the period during which a victim of child sex abuse may bring an otherwise time-barred civil action against the victim’s abuser or an entity with a duty of care to a period of six years after April 24, 2012.
- SB 3081 **Hawaiian Commercial & Sugar Company; Dislocated Workers** – Appropriates funds to establish, administer, and support on-the-job training for individuals who are unemployed and dislocated due to the closure of Hawaiian Commercial & Sugar Company on Maui.