

SHRM HAWAII

BILL TRACKING REPORT

March 11, 2013

- DID NOT CROSS OVER

House Bills: 40

Senate Bills: 27

| BILL NO. | LINK | TITLE | DESCRIPTION | STATUS | INTRODUCER(S) | REFERRAL |
|----------|---|--|--|---|---|---------------|
| HB 6 | http://www.capitol.hi | Paid Sick and Safe Leave | Requires employers to provide a minimum amount of paid sick and safe leave to employees to be used to care for themselves or a family member who is ill, needs medical care, or is a victim of domestic violence, sexual assault, or stalking. | 3/7/13 HB6: Pass First Reading | TAKAYAMA, AQUINO, BELATTI, CULLEN, HANOHANO, ITO, KAWAKAMI, KOBAYASHI, MIZUNO, OHNO, SAY, TAKUMI, TSUJI, Ichiyama | LAB, JUD, FIN |
| HB 53 | http://www.capitol.hi | Minimum Wage; Employment | Increases minimum wage to \$8.25 starting 7/1/13 and \$8.75 starting 7/1/14 and ending 6/30/15. Adjusts the minimum hourly wage thereafter in accord with the consumer priced index. Effective 7/1/13. | 1/18/13 HB53: Referred to LAB, FIN, referral sheet 1 | TAKUMI, C. LEE, Nakashima | LAB, FIN |
| HB 54 | http://www.capitol.hi | Employment Discrimination; Unemployed Status of Job Applicant | Prohibits any employer or employment agency from publishing a job advertisement that states or suggests that an applicant for the job must be currently employed. | 3/1/13 HB54: Forty-eight (48) hours notice Tuesday, 03-05-13. | TAKUMI | LAB, JUD |
| HB 58 | http://www.capitol.hi | Employment Security; Unemployment; Work-sharing Benefits | Authorizes certain private employers to administer a work-sharing plan to avoid temporary layoffs, if approved by the DLIR. Allows employees under a work-sharing plan to receive unemployment benefits to compensate for lost wages. | 3/7/13 HB58: Pass First Reading | TAKUMI | LAB, FIN |
| HB 59 | http://www.capitol.hi | Wages; Payment of Compensation; Penalties | Requires employers to provide employees with specific wage and employer information at the time of hiring and in employees' pay records. Increases civil and criminal penalties for employers' noncompliance with wage rate notice requirements. Require public notice of employer violations. | 3/7/13 HB59: Pass First Reading | TAKUMI | LAB, JUD, FIN |
| HB 61 | http://www.capitol.hi | Pharmacists; Pharmacy; License; Out-Of-State; Mail Order; Permit | Requires an out-of-state pharmacy delivering drugs into the State to have in its employ a pharmacist licensed under chapter 461, HRS. | 3/7/13 HB61: Pass First Reading | EVANS, MORIKAWA, Ing, McKelvey, Mizuno | HLT, CPC |
| HB 144 | http://www.capitol.hi | Professional Employer Organizations; Registration; Fees | Repeals chapter 373L; adds definitions and registration and fee requirements to professional employer organization (PEO) law; requires notice to DOTAX of PEO violations for general excise tax exemption purposes; allows PEOs to be successor employers to client companies; establishes a sliding scale bond requirement for PEOs based upon annual payrolls. Effective July 1, 2112. (HB144 HD2) | 3/8/13 HB144: The committee(s) on CPN has scheduled a public hearing on 03-14-13 9:30AM in conference room 229. | SOUKI, MCKELVEY, NAKASHIMA | CPN, WAM |
| HB 169 | http://www.capitol.hi | Family Leave; Military Deployment | Amends the state family leave law to allow an employee with a family member in the United States armed forces who is on active duty or notified of a call to active duty, to use state family leave for certain activities for which an employee may take military family leave under federal law. Requires certain documentation to certify the validity of the family leave request. Effective July 1, 2030. (HB169 HD2) | 3/7/13 HB169: Passed First Reading. | TAKAI, AQUINO, ITO, JOHANSON, MCKELVEY, OHNO, THIELEN, TSUJI | PSM/JDL, WAM |

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| HB 189 | http://www.capitol.hi | Boards and Commissions Membership; Gender Equity | Requires that the governor or appointing authority strive for gender equity when appointing members of state boards and commissions, and give priority to achieving the goal of gender equity when appointing members to vacancies, at-large positions, and alternates. | 2/28/13 HB189: Referred to JDL. | EVANS, CARROLL, HANOHANO, ICHIYAMA, KOBAYASHI, C. LEE, LOWEN, MCKELVEY, MIZUNO, MORIKAWA, OHNO, TAKUMI, TSUJI, WOOLEY, Cabanilla, Ing | JDL |
| HB 305 | http://www.capitol.hi | Family Leave; Long-Term Care Services | Amends chapter 398, Hawaii Revised Statutes, to provide additional support to women and family caregivers by expanding the law to apply to the provision of long-term care services to family members with a physical, sensory, cognitive or self-care disability. | 3/7/13 HB305: Pass First Reading | JOHANSON, CHEAPE, FALE, FUKUMOTO, MCDERMOTT, THIELEN, WARD | LAB, HLT |
| HB 333 | http://www.capitol.hi | General Excise Tax | Repeals the general excise tax exemption on income derived by fraternal benefit, religious, charitable, scientific, and educational nonprofit organizations from fees for convention, conference, or trade show exhibits or display spaces. Specifies that representatives authorized or employed by an unlicensed seller through the use of exhibit or display space at a conference, convention, or trade show is subject to the general excise tax. | 1/22/13 HB333: Referred to FIN, referral sheet 3 | BROWER, ICHIYAMA, TAKAI, Cachola, Nakashima, Onishi, Souki | FIN |
| HB 333 | http://www.capitol.hi | General Excise Tax | Repeals the general excise tax exemption on income derived by fraternal benefit, religious, charitable, scientific, and educational nonprofit organizations from fees for convention, conference, or trade show exhibits or display spaces. Specifies that representatives authorized or employed by an unlicensed seller through the use of exhibit or display space at a conference, convention, or trade show is subject to the general excise tax. | 1/22/13 HB333: Referred to FIN, referral sheet 3 | BROWER, ICHIYAMA, TAKAI, Cachola, Nakashima, Onishi, Souki | FIN |
| HB 406 | http://www.capitol.hi | Paid Sick and Safe Leave | Requires employers to provide a minimum amount of paid sick and safe leave to employees to care for themselves or a family member who is ill, needs medical care, or is a victim of domestic violence, sexual assault, or stalking. Effective 7/1/13. | 3/7/13 HB406: Pass First Reading | BELATTI, HANOHANO, Carroll, Ichiyama, Lowen | LAB, JUD, FIN |
| HB 409 | http://www.capitol.hi | Breastfeeding; Workplace Accommodation | Requires certain employers to provide reasonable time and a clean location for breastfeeding employees to express breast milk in privacy. Requires covered employers to post a notice. Establishes a civil fine. | 3/7/13 HB409: Pass First Reading | BELATTI, CARROLL, JORDAN, MORIKAWA, THIELEN | LAB, JUD, FIN |
| HB 436 | http://www.capitol.hi | Workers' Compensation; Impartial Physician; Examination | Requires that a workers' compensation impartial examination be conducted by a doctor whose specialty is appropriate for the injury to be examined. Effective January 1, 2113. (HB436 HD1) | 3/8/13 HB436: The committee(s) on JDL has scheduled a public hearing on 03-12-13 10:30AM in conference room 016. | NAKASHIMA, AWANA, BELATTI, EVANS, HANOHANO, LUKE, MIZUNO, NISHIMOTO, ONISHI, SAIKI, WOODSON | JDL, WAM |
| HB 437 | http://www.capitol.hi | Workers' Compensation; Medical Examinations(\$) | Requires, among other things, independent medical examinations and permanent impairment rating examinations for workers' compensation claims to be performed by physicians mutually agreed upon by employers and employees or appointed by the Director of the Department of Labor and Industrial Relations. Allows for the use of an out-of-state physician under certain conditions. Appropriates unspecified funds. Effective January 1, 2113. Repealed on June 30, 2018. (HB437 HD1) | 2/25/13 HB437: The committee (s) on FIN recommend(s) that the measure be deferred. | NAKASHIMA, ING, Hashem, Ichiyama, Luke, Nishimoto | LAB, FIN |

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| HB 456 | http://www.capitol.hi | Family Leave; Siblings | Permits an employee to use family leave time to care for a sibling. Defines "sibling". Effective July 1, 2013. | 3/7/13 HB456: Pass First Reading | TAKAI, BROWER, ITO, JOHANSON, C. LEE, WOODSON, YAMANE, Cachola, Nakashima | LAB, JUD, FIN |
| HB 512 | http://www.capitol.hi | Minimum Wage; Consumer Price Index | Increases minimum hourly wage rate to \$7.75 per hour beginning July 1, 2013, and recalculates minimum hourly wage rate in accordance with consumer price index, effective each January 1 thereafter. Effective July 1, 2013. | 3/7/13 HB512: Pass First Reading | JORDAN, BELATTI, HANOHANO, ING, C. LEE, OSHIRO, Ichiyama | LAB, FIN |
| HB 616 | http://www.capitol.hi | Family Leave; Siblings; Grandchild | Adds definition of "sibling" to the Family Leave Law. Permits an employee to use family leave to care for a sibling, grandchild, or a civil union partner. | 1/22/13 HB616: Referred to LAB, JUD, FIN, referral sheet 3 | TAKAYAMA, CULLEN, HASHEM, ICHIYAMA, ITO, TSUJI, YAMANE | LAB, JUD, FIN |
| HB 634 | http://www.capitol.hi | Employment; Worker Retention | Establishes job security requirements upon the divestiture of a covered establishment if the covered establishment employs 100 or more persons. Effective July 1, 2030. (HB634 HD1) | 3/7/13 HB634: Passed First Reading. | YAMASHITA, CHOY, COFFMAN, CULLEN, HAR, ICHIYAMA, ITO, JORDAN, KAWAKAMI, OSHIRO, SAY, TAKAYAMA, TOKIOKA, TSUJI, YAMANE | JDL/CPN, WAM |
| HB 713 | http://www.capitol.hi | Personal Account; Privacy; Employment; Social Networking Website | Prohibits employers from requiring, requesting, suggesting, or causing employees and potential employees to grant access to personal account usernames or passwords for a social networking website. Effective January 1, 2100. (HB713 HD2) | 3/7/13 HB713: Passed First Reading. | ING | TEC/CPN, JDL |
| HB 745 | http://www.capitol.hi | Labor; Employment; Family School Leave; Education | Authorizes family school leave for employees of employers who employ an unspecified number of employees, provided certain requirements are met, so that employees may participate in their children's school activities. Prohibits employers from discharging or otherwise discriminating against an employee for taking family school leave. Allows for a civil penalty in an amount equal to three times the amount of the employee's lost wages and benefits in certain circumstances. | 2/4/13 HB745: Re-referred to LAB/EDN, FIN, referral sheet 13 | OHNO, HANOHANO, ICHIYAMA, MIZUNO, MORIKAWA, RHOADS, TAKUMI, WOODSON, Awana, Belatti, Brower, Evans, Ing, Lowen, Nishimoto, Takayama | LAB/EDN, FIN |
| HB 790 | http://www.capitol.hi | Charitable Solicitation of Funds from the Public | Extends reporting requirements to commercial co-venturers, allows for penalties to be imposed on commercial co-venturers who fail to comply with the reporting requirements, and clarifies the exemption from registration for organizations who receive less than \$25,000 in contributions annually. | 2/8/13 HB790: This measure has been deleted from the meeting scheduled on Monday 02-11-13 3:30PM in conference room 325. | SOUKI (Introduced by request of another party) | CPC |
| HB 791 | http://www.capitol.hi | Nonprofit Corporations; Inspection of Records by Directors | Entitles directors of nonprofit corporations to inspect and copy the books, records, and documents of their nonprofit corporation to the extent reasonably related to their duties as directors at any reasonable time. (HB791 HD1) | 3/8/13 HB791: The committee(s) on CPN has scheduled a public hearing on 03-14-13 9:30AM in conference room 229. | SOUKI (Introduced by request of another party) | CPN, JDL |

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| HB 860 | http://www.capitol.hi | Itemized Income Tax Deductions | Exempts charitable income tax deductions from the itemized deduction caps. | 1/24/13 HB860: Referred to FIN, referral sheet 5 | SOUKI (Introduced by request of another party) | FIN |
| HB 915 | http://www.capitol.hi | Employment Security Law | Prohibits noncharging of an employer's account when the employer (or agent) is at fault and imposes a fifteen per cent penalty on fraudulent benefit overpayments effective October 1, 2013; provides for deductions from federal income tax refunds to recover delinquent debts effective April 1, 2013; and allows the withdrawal of fees from the unemployment trust fund effective April 1, 2013 | 3/5/13 HB915: Referred to JDL, WAM. | SOUKI (Introduced by request of another party) | JDL, WAM |
| HB 916 | http://www.capitol.hi | Minimum Wage; Consumer Price Index | Increases the minimum hourly wage to \$8.75 per hour beginning January 1, 2014; adjusts the minimum hourly wage thereafter in accordance with the consumer price index; and increases the tip credit to thirty cents. | 2/5/13 HB916: Passed Second Reading and referred to the committee(s) on FIN with none voting aye with reservations; none voting no (0) and Carroll, Har, Oshiro, Takumi excused (4). | SOUKI (Introduced by request of another party) | LAB/EDB, FIN |
| HB 917 | http://www.capitol.hi | Wages; Payment of Compensation | Requires employers to provide employees with specific wage and employer information in employees' pay records; requires employers to maintain accurate and timely wage recordkeeping. Effective January 1, 2014. | 3/5/13 HB917: Referred to JDL, WAM. | SOUKI (Introduced by request of another party) | JDL, WAM |
| HB 922 | http://www.capitol.hi | Workers' Compensation Medical Treatment; Decisions Without a Hearing | Allows the Director of Labor and Industrial Relations to make a decision on disputes regarding treatment plans and continued medical services without a hearing, upon the mutual consent of both parties. (HD2) | 3/8/13 HB922: The committee(s) on JDL has scheduled a public hearing on 03-12-13 10:30AM in conference room 016. | SOUKI (Introduced by request of another party) | JDL, WAM |
| HB 929 | http://www.capitol.hi | Employment and Training Assessment | Beginning January 1, 2013, exempts the employment and training assessment on contributory employers with zero per cent and the maximum rate according to the applicable contribution rate schedule in section 383-68. | 3/5/13 HB929: Referred to JDL, WAM. | SOUKI (Introduced by request of another party) | JDL, WAM |
| HB 954 | http://www.capitol.hi | General Excise Tax; Nonprofit Organizations | Mandates that nonprofit organizations receive notice before denial of general excise tax benefit; limits liability of persons having control of certain amounts held in trust for nonprofit organizations; and defines "nonprofit organization". | 1/24/13 HB954: Referred to FIN, referral sheet 5 | SOUKI (Introduced by request of another party) | FIN |
| HB 1023 | http://www.capitol.hi | Internet Privacy Protection Act | Prohibits educational institutions and employers from requesting a student, prospective student employee, or prospective employee to grant access to, allow observation of, or disclose information that allows access to or observation of personal internet accounts. Provides penalties. | 2/6/13 HB1023: The committee (s) on EDN/HED recommend(s) that the measure be deferred. | KAWAKAMI, ICHIYAMA, ITO, OSHIRO, SAY, TOKIOKA, TSUJI | EDN/HED, JUD |

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| HB 1028 | http://www.capitol.hi | Employment Security; Weekly Benefit Amounts; Contribution Rate Schedules; Minimum Wages; Increases | Extends the calculation of the maximum weekly unemployment benefit amount at seventy-five percent of the average weekly wage to December 31, 2013. Retains, for calendar year 2013, the employer contribution rate for unemployment benefits at schedule F and extends the 2013 first quarter deadline for payment of employer contributions to May 31, 2013. Increases the hourly minimum wage to \$7.75 on January 1, 2014, \$8.25 on January 1, 2015, \$8.75 on January 1, 2016, and \$9.00 on January 1, 2017. Applies retroactively to January 1, 2013. (HB1028 HD2) | 3/7/13 HB1028: Passed First Reading. | YAMASHITA, CHOY, COFFMAN, CULLEN, HAR, ICHIYAMA, ITO, JORDAN, KAWAKAMI, OSHIRO, SAY, TAKAYAMA, TOKIOKA, TSUJI, YAMANE | JDL, WAM |
| HB 1044 | http://www.capitol.hi | Disaster Relief; Tsunami Evacuation | Requires businesses located in tsunami evacuation areas to close at an unspecified period of time following first sounding of tidal wave or tsunami warning sirens until further notice. Makes qualifications for gas stations, businesses that sell staple goods, and health care providers. | 1/28/13 HB1044: Referred to PBS, CPC, referral sheet 6 | AQUINO | PBS, CPC |
| HB 1053 | http://www.capitol.hi | Itemized Income Tax Deductions | Exempts charitable income tax deductions from the itemized deduction caps. | 1/28/13 HB1053: Referred to FIN, referral sheet 6 | LUKE, BROWER, CHEAPE, C. LEE, MCKELVEY, MORIKAWA, NAKASHIMA, NISHIMOTO, ONISHI, WARD, Ing, Lowen, Ohno, Rhoads | FIN |
| HB 1057 | http://www.capitol.hi | Meal Breaks; Employees | Requires employers to provide meal breaks for employees who work more than a total of five hours a day. Imposes penalties on employers who fail to provide meal breaks. Clarifies that the employer's liability is based on an employee's regular wage at the time the infraction occurred. | 3/7/13 HB1057: Pass First Reading | ING, C. LEE, MIZUNO, RHOADS, Aquino, Hashem, Morikawa | LAB, JUD |
| HB 1176 | http://www.capitol.hi | Workers' Compensation; Medical Service Fees; Disputes | Authorizes the employer and provider of services to notify the director of labor and industrial relations in the event of a reasonable disagreement relating to specific medical service charges. Requires that the notice of dispute is done in writing and that the parties negotiate during the thirty-one calendar days following the date of the notice to the director. Allows parties to request the director to render an administrative decision without a hearing in the event the parties fail to reach an agreement within the thirty-one day negotiation period. Establishes that the administrative decision rendered by the director is final and nonappealable. | 3/7/13 HB1176: Pass First Reading | NAKASHIMA | LAB, FIN |
| HB 1215 | http://www.capitol.hi | Minimum Wages; Increase | Increases the hourly minimum wage to \$8 on 1/1/14, \$8.25 on 1/1/15, and \$8.75 on 1/1/17. | 1/28/13 HB1215: Referred to LAB, FIN, referral sheet 6 | YAMASHITA | LAB, FIN |
| HB 1360 | http://www.capitol.hi | General Excise Tax; Use Tax; Suspension of Exemptions | Makes permanent the suspension of certain General Excise Tax and Use Tax exemptions as enacted by Act 105, Session Laws of Hawaii 2011. Effective June 29, 2013. | 3/7/13 HB1360: Pass First Reading | LUKE | FIN |
| HB 1399 | http://www.capitol.hi | Professional Employer Organizations | Repeals HRS chapter 373L; adds definitions and registration and fee requirements to professional employer organization (PEO) law; requires notice to DOTAX of PEO violations for general excise tax exemption purposes; allows PEOs to be successor employers to client companies. | 1/28/13 HB1399: Referred to LAB, CPC, FIN, referral sheet 7 | YAMASHITA, AQUINO, CHOY, CULLEN, HAR, ICHIYAMA, JORDAN, MCKELVEY, NAKASHIMA, OSHIRO, SAY, TAKAYAMA, TSUJI, Hashem | LAB, CPC, FIN |

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| SB 108 | http://www.capitol.hi | Paid Sick and Safe Leave | Requires employers to provide a minimum amount of paid sick and safe leave to employees to be used to care for themselves or a family member who is ill, needs medical care, or is a victim of domestic violence, sexual assault, or stalking. | 1/17/13 SB108: Referred to HMS/JDL, WAM. | CHUN OAKLAND, GALUTERIA, Baker, Espero, Ihara, Shimabukuro | HMS/JDL, WAM |
| SB 247 | http://www.capitol.hi | General Excise Tax; Charitable Organizations | Exempts the general excise tax rate for fundraising activities by charitable organizations. | 1/22/13 SB247: Referred to WAM. | SLOM | WAM |
| SB 331 | http://www.capitol.hi | Minimum Wage; Employment | Increases minimum wage to \$8.25 starting 01/01/14, \$8.75 starting 01/01/15, and \$9.25 starting 01/01/16 and ending 12/31/16. Authorizes DLIR to adjust the minimum hourly wage thereafter in accordance with the Honolulu region consumer price index. Effective 7/1/50. (SD2) | 3/8/13 SB331: Bill scheduled to be heard by LAB on Tuesday, 03-12-13 9:00AM in House conference room 309. | HEE | LAB, FIN |
| SB 332 | http://www.capitol.hi | Wages; Payment of Compensation | Requires employers to provide employees with specific wage and employer information in employees' pay records; requires employers to maintain accurate and timely wage recordkeeping. Effective 07/01/50. (SD1) | 3/7/13 SB332: Referred to EDB/LAB, FIN, referral sheet 30 | HEE | EDB/LAB, FIN |
| SB 393 | http://www.capitol.hi | Family Leave; Siblings; Grandchild | Adds definition of "sibling" to the Family Leave Law. Permits an employee to use family leave to care for a sibling, grandchild, or a civil union partner. | 1/22/13 SB393: Referred to JDL. | CHUN OAKLAND, RUDERMAN, Baker, Galuteria, Ige, Kidani, Shimabukuro, L. Thielen | JDL |
| SB 510 | http://www.capitol.hi | Professional Employer Organizations; Registration; Fees; Bond | Repeals chapter 373K, Hawaii Revised Statutes. Clarifies professional employer organization responsibilities with respect to meeting the statutory requirements of the repealed chapter 373K, Hawaii Revised Statutes, and the nexus between the registration of professional employer organizations and qualification for the state general excise tax exemption. Requires professional employer organizations to obtain a bond on a sliding scale that is based on total payroll amount. Effective 7/1/2050. (SD2) | 3/8/13 SB510: Bill scheduled to be heard by LAB on Tuesday, 03-12-13 9:00AM in House conference room 309. | BAKER, CHUN OAKLAND, GREEN, KEITH-AGARAN, Ruderman, Shimabukuro | LAB, CPC, FIN |
| SB 532 | http://www.capitol.hi | Breastfeeding; Workplace Accommodation | Requires certain employers to provide reasonable time and location shielded from view or intrusion by coworkers and the public for breastfeeding employees to express breastmilk in privacy. Requires covered employers to post a notice. Establishes a civil fine. Effective 07/01/50. (SD1) | 3/8/13 SB532: Bill scheduled to be heard by LAB on Tuesday, 03-12-13 9:00AM in House conference room 309. | CHUN OAKLAND, Baker, Kidani, Shimabukuro, L. Thielen, Tokuda | LAB, JUD, FIN |
| SB 534 | http://www.capitol.hi | Paid Sick and Safe Leave | Requires employers to provide a minimum amount of paid sick and safe leave to employees to care for themselves or a family member who is ill, needs medical care, or is a victim of domestic violence, sexual assault, or stalking. Effective 7/1/13. | 1/22/13 SB534: Referred to JDL, WAM. | TOKUDA, BAKER, CHUN OAKLAND, Kidani, Shimabukuro | JDL, WAM |

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| SB 546 | http://www.capitol.hi | Family Leave; Military Deployment | Allows an employee with a family member in the United States armed forces who is on active duty or notified of a call to active duty, to use family leave for certain activities for which an employee may take military family leave under federal law. Provides employers with a mechanism to certify the validity of requests for military family leave. Effective July 1, 2013. (SD1) | 2/6/13 SB546: Report adopted; Passed Second Reading, as amended (SD 1) and referred to JDL. | ESPERO, Baker, Green | PSM, JDL |
| SB 562 | http://www.capitol.hi | Labor; Employment; Family School Leave; Education; Legislative Reference Bureau | Requires the legislative reference bureau to conduct a study on family school leave that examines the feasibility and potential impact of requiring employers to allow parents and guardians of school-aged children to take leave from their employment to participate in their children's educational activities and to report to the legislature. (SD1) | 2/12/13 SB562: Report adopted; Passed Second Reading, as amended (SD 1) and referred to WAM. | TOKUDA, CHUN OAKLAND, Baker, Ige, Kidani | EDU/JDL, WAM |
| SB 786 | http://www.capitol.hi | General Excise Tax; Charitable Organizations | Exempts the general excise tax rate for fundraising activities by charitable organizations. | 1/22/13 SB786: Referred to WAM. | SLOM, Ige, Keith-Agaran, Wakai | WAM |
| SB 813 | http://www.capitol.hi | Professional Employer Organizations; Registration and Fees; Enterprise Zone Coverage; General Excise Tax Exemption; Transfer of Experience Record as Successor Employer | Amends definitions and adds registration and fee requirements for professional employer organizations; repeals chapter 373L, Hawaii Revised Statutes; amends the definition of leased employees for enterprise zone coverage of a qualified business; amends the general excise tax exemption for professional employer organizations; allows professional employer organizations to apply for a transfer of a client company's experience record for unemployment insurance contribution purposes. | 2/14/13 SB813: The committee on CPN deferred the measure. | CHUN OAKLAND, ESPERO, IHARA, Dela Cruz | CPN, WAM |
| SB 874 | http://www.capitol.hi | Workers' Compensation; Impartial Physician; Exam | Requires a workers' compensation impartial exam to be conducted by a doctor whose specialty is appropriate for the injury to be examined. | 2/14/13 SB874: Report adopted; Passed Second Reading and referred to WAM. | HEE | JDL, WAM |
| SB 875 | http://www.capitol.hi | Workers' Compensation; Medical Examinations; Appropriation(\$) | Amends section 386-79, HRS, to require independent medical examinations and permanent impairment rating examinations for workers' compensation claims to be performed by physicians mutually agreed upon by employers and employees or appointed by the director of the department of labor and industrial relations. Allows for the use of an out-of-state physician under certain conditions. Appropriates unspecified funds. Effective 7/1/2050. Section 2 effective 7/1/13. Repeals on 6/30/2018. (SD1) | 2/15/13 SB875: Report adopted; Passed Second Reading, as amended (SD 1) and referred to WAM. | HEE | HTH/JDL, WAM |
| SB 876 | http://www.capitol.hi | Workers' Compensation; Medical Service Fees; Disputes | Authorizes the employer and provider of services to notify the director of labor and industrial relations in the event of a reasonable disagreement relating to specific medical service charges. Requires that the notice of dispute is done in writing and that the parties negotiate during the thirty-one calendar days following the date of the notice to the director. Allows parties to request the director to render an administrative decision without a hearing in the event the parties fail to reach an agreement within the thirty-one day negotiation period. Allows the direct to assess a \$250 fee to either or both parties who fail to negotiate in good faith. Mandates that the administrative decision rendered by the director shall be appealable to the appellate board for ninety days after the administrative decision is issued and thereafter to the intermediate appellate court, subject to chapter 602, HRS. Effective July 1, 2050. (SD1) | 2/15/13 SB876: Report adopted; Passed Second Reading, as amended (SD 1) and referred to WAM. | HEE | HTH/JDL, WAM |

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|----------|---|--|--|---|--|----------|
| SB 1020 | http://www.capitol.hi | Charitable Solicitation; Charitable Solicitation of Funds from the Public; Commercial Co-venturers | Extends reporting and recordkeeping requirements to commercial co-venturers; allows penalties to be imposed on commercial co-venturers who fail to comply with reporting requirements; clarifies the exemption from registration for organizations who receive less than \$25,000 in contributions annually. (SD1) | 3/7/13 SB1020: Referred to CPC, referral sheet 30 | KIM (Introduced by request of another party) | CPC |
| SB 1021 | http://www.capitol.hi | Nonprofit Corporations; Inspection of Records by Directors | Explicitly provides that directors of a nonprofit corporation shall have access to the books and records of the corporation to the extent reasonably related to their duties. (SD1) | 2/13/13 SB1021: Report adopted; Passed Second Reading, as amended (SD 1) and referred to JDL. | KIM (Introduced by request of another party) | CPN, JDL |
| SB 1092 | http://www.capitol.hi | Hurricane Reserve Trust Fund; Recapitalization; Appropriation(\$) | Makes a general fund appropriation of an unspecified amount for fiscal year 2014-2015 to recapitalize the hurricane reserve trust fund. (SD1) | 3/7/13 SB1092: Referred to FIN, referral sheet 30 | KIM (Introduced by request of another party) | FIN |
| SB 1146 | http://www.capitol.hi | Employment Security Law | Prohibits noncharging of an employer's account when the employer (or agent) is at fault and imposes a fifteen per cent penalty on fraudulent benefit overpayments effective October 1, 2013; provides for deductions from federal income tax refunds to recover delinquent debts effective April 1, 2013; and allows the withdrawal of fees from the unemployment trust fund effective April 1, 2013 | 1/24/13 SB1146: Referred to JDL, WAM. | KIM (Introduced by request of another party) | JDL, WAM |
| SB 1147 | http://www.capitol.hi | Minimum Wage; Consumer Price Index | Increases the minimum hourly wage to \$8.75 per hour beginning January 1, 2014; adjusts the minimum hourly wage thereafter in accordance with the consumer price index; and increases the tip credit to thirty cents. | 1/24/13 SB1147: Referred to JDL, WAM. | KIM (Introduced by request of another party) | JDL, WAM |
| SB 1148 | http://www.capitol.hi | Wages; Payment of Compensation | Requires employers to provide employees with specific wage and employer information in employees' pay records; requires employers to maintain accurate and timely wage recordkeeping. Effective January 1, 2014. | 1/24/13 SB1148: Referred to JDL, WAM. | KIM (Introduced by request of another party) | JDL, WAM |
| SB 1153 | http://www.capitol.hi | Workers' Compensation Medical Treatment; Decisions; Denial of | Amends section 386-21(c), Hawaii Revised Statutes, by allowing the Director of Labor and Industrial Relations to make a decision on disputes regarding treatment plans and continued medical services without a hearing. | 1/24/13 SB1153: Referred to JDL, WAM. | KIM (Introduced by request of another party) | JDL, WAM |
| SB 1160 | http://www.capitol.hi | Employment and Training Assessment | Beginning January 1, 2013, exempts the employment and training assessment on contributory employers with zero per cent and the maximum rate according to the applicable contribution rate schedule in section 383-68. | 1/24/13 SB1160: Referred to JDL, WAM. | KIM (Introduced by request of another party) | JDL, WAM |

SHRM HAWAII
BILL TRACKING REPORT
March 11, 2013

- DID NOT CROSS OVER

House Bills: 40

Senate Bills: 27

| BILL NO. | LINK | TITLE | DESCRIPTION | STATUS | INTRODUCER(S) | REFERRAL |
|----------------|---|--|--|---|--|--------------|
| SB 1185 | http://www.capitol.hi | General Excise Tax; Nonprofit Organizations | Mandates that nonprofit organizations receive notice before denial of general excise tax benefit; limits liability of persons having control of certain amounts held in trust for nonprofit organizations; and defines "nonprofit organization". (SD1) | 3/7/13 SB1185: Referred to FIN, referral sheet 30 | KIM (Introduced by request of another party) | FIN |
| SB 1263 | http://www.capitol.hi | Meal Breaks; Employees | Requires employers, under certain circumstances, to provide meal breaks for any employee who works more than five consecutive hours. Imposes penalties on employers who fail to provide meal breaks. Clarifies that the employer's liability is based on an employee's regular wage at the time the infraction occurred. Effective 07/01/50. (SD1) | 2/11/13 SB1263: Report adopted; Passed Second Reading, as amended (SD 1) and referred to WAM. | SHIMABUKURO | JDL, WAM |
| SB 1288 | http://www.capitol.hi | Family Leave; Siblings | Permits an employee to use family leave time to care for a sibling. Defines "sibling". Effective 07/01/50. (SD1) | 2/14/13 SB1288: Report adopted; Passed Second Reading, as amended (SD 1) and referred to WAM. | KIDANI, BAKER, CHUN OAKLAND, NISHIHARA, TOKUDA, Ihara, Shimabukuro | JDL, WAM |
| SB 1302 | http://www.capitol.hi | Workers' Compensation; Repackaged Medications and Compounded Medications | Restricts reimbursement of repackaged prescription drugs and compound medications to amounts comparable to that of retail pharmacies under state law. | 1/28/13 SB1302: Referred to JDL/CPN, WAM. | KIM (Introduced by request of another party) | JDL/CPN, WAM |