
A BILL FOR AN ACT

RELATING TO RESIDENCE REQUIREMENTS FOR APPOINTED OFFICERS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 78-1, Hawaii Revised Statutes, is
2 amended by amending subsection (b) to read as follows:
3 "(b) All appointive officers in the service of the
4 government of the State or any county who are employed as
5 department heads and deputies or assistants to a department head
6 shall be citizens of the United States and residents of the
7 State for at least one year immediately preceding their
8 appointment; provided that the foregoing one year residency
9 requirement may be waived by the appointing authority when the
10 appointive officer is [required]:

11 (1) Required to have highly specialized or scientific
12 knowledge and training and a qualified applicant who
13 is a resident for at least one year is not available
14 to fill the position~~[-]~~; or

15 (2) Employed as the head of a county police department.

16 All others appointed in the service of the government of the
17 State or in the service of any county or municipal subdivision



1 of the State shall be [~~citizens,~~] residents of the State at the
2 time of their appointment and:

3 (1) Citizens, nationals, or permanent resident aliens of
4 the United States [~~and residents of the State at the~~
5 ~~time of their appointment.~~]; or

6 (2) Eligible under federal law for unrestricted employment
7 in the United States.

8 A national or permanent resident alien appointee shall not be
9 eligible for continued employment unless such person diligently
10 seeks citizenship upon becoming eligible to apply for United
11 States citizenship."

12 SECTION 2. Statutory material to be repealed is bracketed
13 and stricken. New statutory material is underscored.

14 SECTION 3. This Act shall take effect upon its approval.



Report Title:

Appointed Officers; Residency Requirement; Police Departments;
Police Chief

Description:

Allows a waiver of the one-year residency requirement for certain appointive officers when the officer is employed as the head of a county police department. Clarifies that all appointed officers in the service of state or county government, other than the head or deputy or assistant to the head of a state or county department, be residents of the State at the time of their appointment, and citizens, nationals, permanent resident aliens of the United States, or eligible under federal law for unrestricted employment in the United States. (SD2)

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