

JAN 21 2021

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# A BILL FOR AN ACT

RELATING TO HOUSING SAVINGS ACCOUNTS.

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

1           SECTION 1. The Hawaii Revised Statutes is amended by  
2 adding a new chapter to be appropriately designated and to read  
3 as follows:

4   **"CHAPTER**

5   **HOUSING SAVINGS ACCOUNT**

6           **§ -1 Definitions.** As used in this chapter:

7           "Board" means the housing savings account board.

8           "Employee" means any person who is on the employer's  
9 payroll and works in a full-time or part-time position. The  
10 term "employee" includes any person who is entitled to payment  
11 of a minimum wage from an employer under the Hawaii minimum wage  
12 law.

13           "Employer" means any individual, partnership, association,  
14 company, trust, corporation, or the personal representative of  
15 the estate of a deceased individual or the receiver, trustee, or  
16 successor of any of the same, employing any person.



1           §    -2   **Housing savings account system; established.**  There  
2 shall be established a housing savings account system.  It shall  
3 have the powers and privileges of a corporation and shall be  
4 known as the "Housing Savings Account System" and by that name  
5 may sue or be sued, transact all of its business, invest all of  
6 its funds, and hold all of its cash, securities, and other  
7 property.

8           §    -3   **General administration of the system.**  The general  
9 administration and responsibility for the proper operation of  
10 the housing savings account system and for making effective the  
11 provisions of this chapter are vested in the board.

12          §    -4   **Housing savings account board.**  (a)  There is  
13 established within the department of budget and finance for  
14 administrative purposes the housing savings account board.  The  
15 board shall consist of eight members as follows:

16           (1)  The director of finance or the director's designee,  
17                who shall serve as chairperson of the board;

18           (2)  The director of human services or the director's  
19                designee;

20           (3)  The director of commerce and consumer affairs or the  
21                director's designee;



1 (4) A representative of employers, to be appointed by the  
2 governor;

3 (5) A representative with experience in the field of  
4 investments, to be appointed by the governor;

5 (6) A representative of an association representing  
6 employees, to be appointed by the governor;

7 (7) A member of the senate, to be appointed by the  
8 president of the senate, who shall be a nonvoting  
9 advisory member of the board; and

10 (8) A member of the house of representatives, to be  
11 appointed by the speaker of the house of  
12 representatives, who shall be a nonvoting advisory  
13 member of the board.

14 (b) Members of the board appointed by the governor shall  
15 be subject to the advice and consent of the senate.

16 (c) The term of office of each member of the board  
17 appointed by the governor shall be four years and shall serve at  
18 the pleasure of the governor. The member of the senate shall  
19 serve at the pleasure of the president of the senate. The  
20 member of the house of representatives shall serve at the  
21 pleasure of the speaker of the house of representative. A



1 member shall be eligible for reappointment. Members pursuant to  
2 subsection (a) (1) through (3) shall serve in an ex officio  
3 capacity.

4 (d) If there is a vacancy for any reason, the respective  
5 appointing party shall make an appointment to become effective  
6 immediately for the unexpired term.

7 (e) A majority of the voting members of the board shall  
8 constitute a quorum for the transaction of business.

9 (f) The members of the board shall serve without  
10 compensation but shall be reimbursed for travel and other  
11 necessary expenses in the performance of their official duties.

12 (g) The board may employ, without regard to chapter 76,  
13 staff necessary for the performance of its functions and fix  
14 their compensation.

15 (h) The board may establish rules pursuant to chapter 91  
16 for the general administration of this chapter.

17 **§ -5 Housing savings account; established; employer**  
18 **participation.** (a) Each employer in the State shall offer to  
19 its employees the opportunity to contribute to a housing savings  
20 account through payroll deduction.



1 (b) An employer in the State may match an employee's  
2 contribution into each employee's housing savings account.

3 (c) Funds contributed into a housing savings account shall  
4 not be exempt from chapter 235 and shall not receive any  
5 additional tax benefits.

6 (d) Funds contributed into a housing savings account may  
7 be used for any purpose, including but not limited to:

- 8 (1) Downpayments;
- 9 (2) Mortgage payments;
- 10 (3) Rent; or
- 11 (4) Security deposits.

12 An employee may withdraw funds from their housing savings  
13 account at any time without any penalty.

14 **§ -6 Enrollment.** Each employer shall enroll every  
15 employee who enters or reenters employment with the employer and  
16 who accepts participation in the employee's housing savings  
17 account and shall file with the board information as the board  
18 may require for the employee's housing savings account for the  
19 employee for enrollment and for administrative purposes.

20 **§ -7 Employee contributions.** (a) Each employee in the  
21 State shall automatically contribute to a housing savings



1 account; provided that an employee may elect to opt out of  
2 contributing to a housing savings account at any time.

3 (b) The default contribution rate each employee in the  
4 State contributes into their individual housing savings account  
5 shall be five per cent of the employee's compensation; provided  
6 that an employee may elect to contribute a different amount on a  
7 form to be developed by the employer."

8 SECTION 2. This Act shall take effect upon its approval.

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INTRODUCED BY:

A handwritten signature in black ink, appearing to be "A. S. S.", is written over a horizontal line.

# S.B. NO. 5

**Report Title:**

Housing Savings Account

**Description:**

Establishes the procedures for a housing savings account system for all employees in the State.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

