

# PUBLIC ACCESS ROOM

A division of the Legislative Reference Bureau

# NEWSLETTER

Hawaii State Capitol ♦ 415 South Beretania Street ♦ Room 401 ♦ Honolulu, Hawaii 96813

Phone: (808) 587-0478 ♦ Website: [lrbhawaii.org/par](http://lrbhawaii.org/par)



### CONTACT US!

Public Access Room (PAR)

Phone ..... (808) 587-0478

Email.....[par@capitol.hawaii.gov](mailto:par@capitol.hawaii.gov)

**Neighbor Islands (Toll Free):** After dialing these numbers, enter extension 7-0478 followed by the # sign.

Hawai'i ..... 974-4000

Kaua'i ..... 274-3141

Maui ..... 984-2400

Moloka'i/Lana'i ... (800) 468-4644

## In Search of the Law

At PAR, we focus on the legislative process and the advocacy involved in lawmaking. But what happens after a bill becomes law? Where do the 2018 Acts "go"?  
Good question!

### 2018 Legislative Timetable

June  
25<sup>th</sup>

**Governor's Deadline:**

Notice of Intent to Veto deadline  
(35<sup>th</sup> day after adjournment *sine die*)

July  
10<sup>th</sup>

**Governor's Deadline:**

Veto / Signing deadline  
(45<sup>th</sup> day after adjournment *sine die*)

August  
11<sup>th</sup>

**Election:** Primary Election

November  
6<sup>th</sup>

**Election:** General Election

2019

January

16<sup>th</sup>

**Legislature:**

Opening Day of 2019 Regular Session

Each year, all the bills that become law are compiled in the **Session Laws of Hawaii (SLH)**. If the new law adds to or amends any of the codified laws (the laws arranged in a systematic code) of the State of Hawaii, it will also be reflected in the **Hawaii Revised Statutes (HRS)**, where the laws of a general and permanent nature go.

Not *all* new laws impact the HRS. For example, if the law is applicable only for a limited amount of time or contains temporary provisions (as is the case with legislative appropriations), it will be published in the Session Laws but *not* codified in the HRS.

Note that there are also rules published by the State departments governing *how* the new laws will be implemented -- those are the **Hawaii Administrative Rules (HAR)**.

To make it all a bit more understandable, read on...

### In this Issue

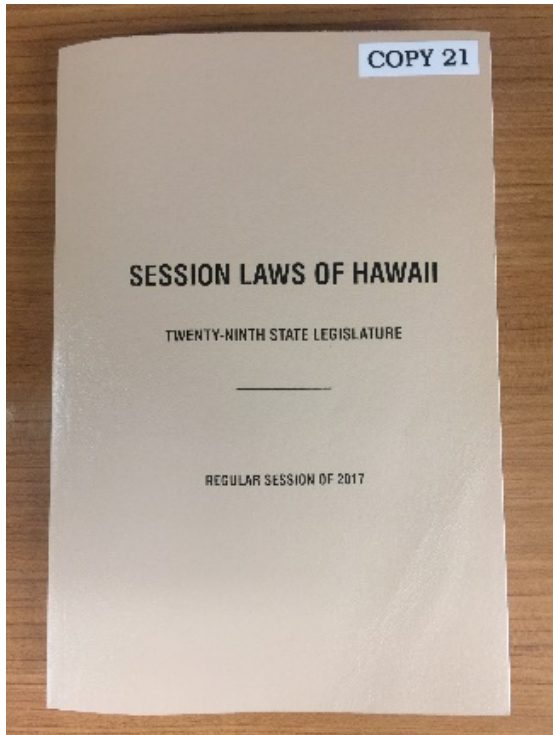
**Session Laws of Hawaii (SLH)** .....p. 2

**Hawaii Revised Statutes (HRS)** .....p. 3

**Hawaii Administrative Rules (HAR)** ..... p. 4

# Session Laws of Hawaii (SLH)

*Where ALL the enacted bills are published...!*



The **Session Laws of Hawaii (SLH)** is an annual compilation of all the laws enacted by the Hawaii State Legislature during the legislative session. The Revisor of Statutes publishes it each year (as noted in HRS §23G-13), and the SLH is arranged by act number (they are in the order that they became law).

## Includes Full Text of All the Enacted Bills

- The compilation includes both laws that amend the HRS and those that do not (for example, budgets, appropriations, and temporary laws), as well as proposed constitutional amendments.
- The text of each is printed in full (with a few exceptions). This can be helpful, for a number of reasons. Some legislation starts with a purpose clause, which may provide background information or a statement of legislative intent. Also, one act may have numerous sections, affecting various laws or issues, and here you'll be able to see the act in its entirety.

- The SLH also includes a useful index, tables showing which sections of the Hawaii Revised Statutes are affected by the acts, and lists of each measure's committee report numbers.

## Citations

When referring to a session law, just note the act number and the year, such as "Act 77, Session Laws of Hawaii 2014" or "Act 77, SLH 2014."

## Finding it Online

While the SLH are not published online, you can find the list of acts each session by using the [Archives](#) feature on the [Legislature's website](#). The index and other information is currently only available in printed form. (The Legislative Reference Bureau's "Supplemental Information Relating to Bills Passed," available on its "[Session Reports](#)" page, provides a table on laws affected by the bills passed during a particular session.)

## Published Volumes

Hard copies of the SLH are published in late November/early December and can be purchased from the Lieutenant Governor's office (<http://ltgov.hawaii.gov/the-office/publication-list/>). The Public Access Room (PAR) has volumes back to the mid-1990's, and there are hard copies of all the years downstairs in the LRB Library (Room 005).

*Effective Dates: Whether or not they've been published, the laws take effect on their 'effective date' -- usually found in the last section of the legislation. Sometimes this is a specific date, such as "July 1, 2018," and sometimes it is "upon approval," in which case the law takes effect on the date it is enacted. A bill passed by the Legislature can be enacted by the Governor's signature, by successful override votes to a Governor's veto, or by being neither signed nor vetoed by a particular date (for current bills in the Governor's hands, that's July 10<sup>th</sup>).*

# Hawaii Revised Statutes (HRS)

*The 14 volumes of 'codified' law... which many of the enacted bills affect*

The **Hawaii Revised Statutes (HRS)** consist of 14 hardcover volumes and cumulative supplements that contain Hawaii's codified laws. ("Codified" simply means that the laws have been arranged into a systematic code or plan.)



## Standing Books of Law Incorporate Changes Dictated by Certain Enacted Bills

- The HRS is organized by "titles;" there are 38 of these titles, each containing laws pertaining to a discrete subject area. (Here's a link to the Table of Contents, if you want to take a look:

<https://www.capitol.hawaii.gov/docs/HRS.htm>.)

- The changes made to the HRS are dictated by the text of the enacted bills. Remember how confusing all those ~~cross-outs~~ and underlines were when you first saw a bill that attempted to change an existing section of the HRS? Well, that Ramseyer format makes it very clear to the Revisor of Statutes precisely which words in the HRS should be taken out and what language should be added. If you have worked long and hard to have a law changed, it's gratifying to look at the updated HRS and see how all those strike outs and underlines have been compiled.
- The HRS also includes the Constitution of the United States, the act creating Hawaii National Park, the Organic Act (concerning the Territory of Hawaii), the Admission Act, the Constitution of the State of Hawaii, and the Hawaiian Homes Commission Act.
- If you know the subject matter but are unclear where the law might fit in the whole arrangement, the HRS includes an especially helpful Index. There are also the Tables of Disposition, which show where particular sections of acts are codified in the HRS. (They also show how the laws of the Territory of Hawaii were codified into the HRS.)

## Citations

When referring to a section of the HRS, the common nomenclature is to use the section symbol (§), for example, "Hawaii Revised Statutes §329-122" or "HRS §329-122."

## Finding it Online

An online unofficial version of the HRS is available on the [Legislature's website](#). To go to a particular volume or section, use the "Browse HRS Sections" link that appears under the HRS search box. Use the search box to look for a particular word or phrase in the volumes. There are also links to the Table of Contents, Indexes, and the Tables of Disposition.

## Published Volumes

The HRS annual updated volumes and supplements are published near the end of the calendar year, and can be purchased from the Lieutenant Governor's office (<http://ltgov.hawaii.gov/the-office/publication-list/>). *Note: When using the printed HRS, check a volume's "supplement" first to see if there have been updates since the hard-bound volume was published. If the section you're interested in doesn't appear in the supplement, that means the section in the hard-bound volume is current.*

# Hawaii Administrative Rules (HAR)

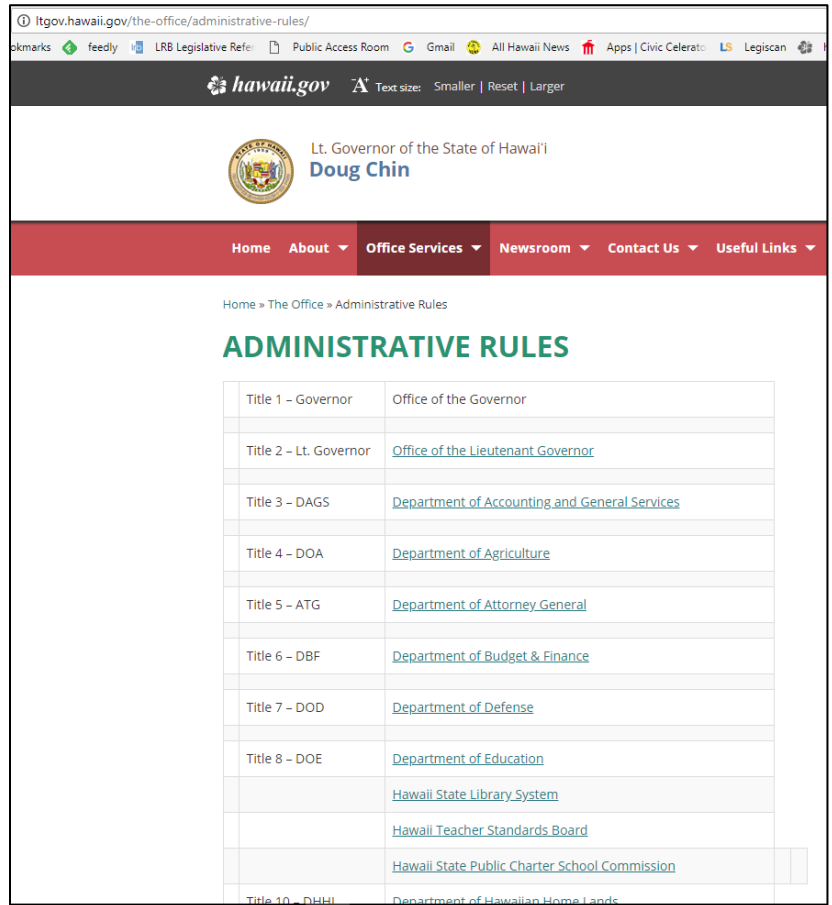
*Each Executive Branch Department establishes rules of operation...*

The Legislature's creation of new laws may affect the operations of one or more of Hawaii's numerous departments or agencies that make up the government's executive branch. **Hawaii Administrative Rules (HAR)** are operating procedures the executive agencies establish via rulemaking.

## Executive Branch Rules

In order to implement many of the laws passed by the legislature, the departments must be able to create their own policies, procedures, and rules. [Chapter 91](#) of the HRS governs "Administrative Procedure" and outlines the necessity and procedures for establishing the rules that govern how the State departments will function.

- Proposed rules go through an extensive public review and hearing process.
- The details of how a law is to be executed can be filled in by the agency responsible for implementing the statute via the adoption of rules.



Title	Department
Title 1 – Governor	Office of the Governor
Title 2 – Lt. Governor	<a href="#">Office of the Lieutenant Governor</a>
Title 3 – DAGS	<a href="#">Department of Accounting and General Services</a>
Title 4 – DOA	<a href="#">Department of Agriculture</a>
Title 5 – ATG	<a href="#">Department of Attorney General</a>
Title 6 – DBF	<a href="#">Department of Budget &amp; Finance</a>
Title 7 – DOD	<a href="#">Department of Defense</a>
Title 8 – DOE	<a href="#">Department of Education</a>
	<a href="#">Hawaii State Library System</a>
	<a href="#">Hawaii Teacher Standards Board</a>
	<a href="#">Hawaii State Public Charter School Commission</a>
Title 10 – DHH	<a href="#">Department of Hawaiian Home Lands</a>

## Citations

When referring to an administrative rule specify the title, chapter and/or section number, for example, "Title 16, Hawaii Administrative Rules" or "Section 16-84-135, HAR."

## Finding Them Online

The administrative rules for all executive agencies are posted on the Lieutenant Governor's website (<http://ltgov.hawaii.gov/the-office/administrative-rules/>).

## Additional Information

Contact the appropriate Executive Department for additional information.

*When will we know which bills have become law from the 2018 Regular Session? The Governor has until July 10<sup>th</sup> to either sign the bills that are in his hands, veto them, or allow them to become law without signature. The House and Senate can choose to convene in Special Session by noon on July 10<sup>th</sup> in order to attempt to override any vetoes. (A successful veto override requires a 2/3 vote in each chamber.) Additionally, there is one bill ([SB2922](#)) which proposes an amendment to the Constitution of the State of Hawaii. We won't know whether that becomes law or not until after the General Election (November 6<sup>th</sup>) -- it's up for the people voting to decide!*