

JAN 22 2010

A BILL FOR AN ACT

RELATING TO ETHICS.

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

1 SECTION 1. The legislature finds that public service is a
2 public trust. All legislators and state employees are stewards
3 of the public trust. To ensure and enhance public confidence in
4 state government, each legislator and state employee must not
5 only adhere to the principles of ethical conduct set forth in
6 the ethics code codified in chapter 84, Hawaii Revised Statutes,
7 and comply technically therewith, but each legislator and state
8 employee must scrupulously avoid the appearance of impropriety
9 at all times.

10 The purpose of this Act is to prohibit conduct by
11 legislators and state employees that is incompatible with the
12 State's best interests and to minimize the risk of any
13 appearance of impropriety by prohibiting conduct by legislators
14 and state employees that creates the appearance of impropriety.

15 SECTION 2. Chapter 84, Hawaii Revised Statutes, is amended
16 by adding a new section to be appropriately designated and to
17 read as follows:



1 "§84- Appearance of impropriety; prohibition. (a)

2 Notwithstanding the absence of proof of any actual or intended
3 violation of any provision of parts I or II of this chapter, no
4 legislator or employee shall, by the legislator or employee's
5 conduct or by participation in activities outside of the
6 performance of the legislator or employee's official duties,
7 create the appearance of impropriety by violating the spirit or
8 intent of the provisions of parts I and II of this chapter or by
9 giving a reasonable basis for the impression that the legislator
10 or employee has violated the provisions of parts I and II of
11 this chapter.

12 (b) For purposes of this section, an appearance of
13 impropriety occurs when reasonable minds, with knowledge of all
14 the relevant circumstances disclosed by a reasonable inquiry,
15 would suspect that the legislator or employee had violated the
16 provisions of parts I and II of this chapter. An appearance of
17 impropriety may exist even in the absence of an actual violation
18 of any provision of parts I or II of this chapter."

19 SECTION 3. New statutory material is underscored.

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1 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY:

William J. ...
 ...



Report Title:

Ethics Code; Appearance of Impropriety

Description:

Prohibits the appearance of impropriety by legislators and state employees.

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

