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# 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 the public interest  
2 is disserved when experts or persons who possess special  
3 knowledge or expertise necessary to the State decline to serve  
4 or are prevented from serving as members of task forces convened  
5 solely for the purpose of sharing knowledge or experience,  
6 making recommendations, or commenting on proposed courses of  
7 action, because legislation that may result from the advice or  
8 comments they provide or the recommendations they may make are  
9 related to matters to which they have a professional or  
10 financial connection.

11           The purpose of this Act is to allow persons with knowledge  
12 and expertise necessary to the State to serve as members of a  
13 task force that is convened on a temporary basis by the  
14 legislative or executive branch to study an issue, make  
15 recommendations, or offer advice on a specific subject, by  
16 clarifying that these members are exempt from the requirements,  
17 restrictions, and prohibitions of the State's code of ethics,



1 unless they would be considered a state employee for a reason  
2 other than their service with the task force.

3 Accordingly, this Act makes clear that any person who  
4 serves on such a task force, unless considered a state employee  
5 for reasons other than service to the task force, shall be  
6 excluded from the definition of "employee" in part I, chapter  
7 84, Hawaii Revised Statutes, and accordingly, shall be exempt  
8 from the provisions of the State's code of ethics. This Act  
9 also provides further clarity by adding a definition of "task  
10 force" to chapter 84, Hawaii Revised Statutes.

11 SECTION 2. Section 84-3, Hawaii Revised Statutes, is  
12 amended as follows:

13 1. By adding a new definition to be appropriately inserted  
14 and to read:

15 "Task force" means a group convened by resolution,  
16 statute, executive order, proclamation, or by invitation of the  
17 legislature, governor, or another state officer, to study a  
18 specific subject or issue, for a specific defined period of  
19 time, and to report to, offer a recommendation to, or advise the  
20 legislature, governor, or a state officer."



1           2. By amending the definition of "employee" to read:  
2            "Employee" means any nominated, appointed, or elected  
3 officer or employee of the State, including members of boards,  
4 commissions, and committees, and employees under contract to the  
5 State or of the constitutional convention, but excluding  
6 legislators, delegates to the constitutional convention,  
7 justices [~~and~~], judges [~~-~~], and members of a task force who but  
8 for their service with the task force would not be considered an  
9 employee under this chapter."

10           SECTION 3. Statutory material to be repealed is bracketed  
11 and stricken. New statutory material is underscored.

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



**Report Title:**

Task Force Members; Ethics Code

**Description:**

Exempts all persons, except those who would otherwise be considered state employees, serving on a task force established by the Legislature, Governor, or state officer from the State's Code of Ethics. Defines "employee" and "task force". (HB2175 HD2)

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

