
A BILL FOR AN ACT

RELATING TO THE CODE OF ETHICS.

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

1 SECTION 1. The purpose of this Act is to clarify the fair
2 treatment provisions of the ethics code that apply to
3 legislators and task force members by:

4 (1) Separating permissible actions and mandatory
5 disclosures applicable to task force members from
6 those applicable to legislators; and

7 (2) Making clear that legislators are not prohibited from
8 taking action in the exercise of the legislator's
9 legislative functions.

10 SECTION 2. Section 84-13, Hawaii Revised Statutes, is
11 amended to read as follows:

12 "**§84-13 Fair treatment.** (a) No legislator or employee
13 shall use or attempt to use the legislator's or employee's
14 official position to secure or grant unwarranted privileges,
15 exemptions, advantages, contracts, or treatment, for oneself or
16 others; including but not limited to the following:



- 1 (1) Seeking other employment or contract for services for
2 oneself by the use or attempted use of the
3 legislator's or employee's office or position.
- 4 (2) Accepting, receiving, or soliciting compensation or
5 other consideration for the performance of the
6 legislator's or employee's official duties or
7 responsibilities except as provided by law.
- 8 (3) Using state time, equipment or other facilities for
9 private business purposes.
- 10 (4) Soliciting, selling, or otherwise engaging in a
11 substantial financial transaction with a subordinate
12 or a person or business whom the legislator or
13 employee inspects or supervises in the legislator's or
14 employee's official capacity.

15 (b) Nothing [~~herein~~] in this section shall be construed to
16 prohibit a legislator from introducing bills and resolutions,
17 [~~or to prevent a person from serving on a task force or~~] from
18 serving on [~~a task force committee,~~] committees, or from making
19 statements or taking [~~official~~] action [~~as a legislator, or a~~
20 ~~task force member or a task force member's designee or~~
21 ~~representative.~~] in the exercise of the legislator's legislative
22 functions. Every legislator[~~, or task force member or designee~~



1 ~~or representative of a task force member]~~ shall file a full and
2 complete public disclosure of the nature and extent of the
3 interest or transaction [~~which~~] that the legislator [~~or task~~
4 ~~force member or task force member's designee or representative]~~
5 believes may be affected by the [~~legislator's or task force~~
6 ~~member's official action.~~] legislative action.

7 (c) Nothing in this section shall be construed to prevent
8 a person from serving on a task force or a task force committee,
9 or from making statements or taking official action as a task
10 force member or a task force member's designee or
11 representative. Every task force member, or designee or
12 representative of a task force member, shall file a full and
13 complete public disclosure of the nature and extent of the
14 interest or transaction that the task force member or task force
15 member's designee or representative believes may be affected by
16 the task force member's official action."

17 SECTION 3. Statutory material to be repealed is bracketed
18 and stricken. New statutory material is underscored.

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



Report Title:

Ethics Code; Fair Treatment; Legislators; Task Force Members

Description:

Clarifies the fair treatment provisions of the ethics code by separating out certain limitations placed on task force members from those placed on legislators, and clarifying that legislators are not prohibited from taking action in the exercise of legislative functions.

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

