

JAN 23 2014

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 Act 208, Session
2 Laws of Hawaii 2012, provides a state ethics code exemption to
3 members of task forces convened by legislation, executive order,
4 or by invitation of the legislature to study an issue for a
5 specific time period for report to the legislature. However,
6 the state ethics commission discovered the Act inadvertently
7 exempted legislators from section 84-13, Hawaii Revised
8 Statutes, allowing legislators, in their official capacity, to
9 use their position to secure unwarranted privileges, advantages,
10 or treatment for themselves or others.

11 The purpose of this Act is to amend the scope of action
12 that is permitted by section 84-13, Hawaii Revised Statutes,
13 from official action by a legislator to action in the exercise
14 of the legislator's legislative functions.

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

17 "**§84-13 Fair treatment.** No legislator or employee shall
18 use or attempt to use the legislator's or employee's official



1 position to secure or grant unwarranted privileges, exemptions,
2 advantages, contracts, or treatment, for oneself or others;
3 including but not limited to the following:

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

18 Nothing herein shall be construed to prohibit a legislator
19 from introducing bills and resolutions, or to prevent a person
20 from serving on a task force or from serving on a task force
21 committee, or from making statements or taking [~~official~~] action
22 [~~as a legislator,~~] in the exercise of the legislator's



1 legislative functions, or as a task force member or a task force
2 member's designee or representative. Every legislator, or task
3 force member or designee or representative of a task force
4 member shall file a full and complete public disclosure of the
5 nature and extent of the interest or transaction which the
6 legislator or task force member or task force member's designee
7 or representative believes may be affected by the legislator's
8 or task force member's official action."

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

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

12

INTRODUCED BY:



S.B. NO. 2973

Report Title:

State Ethics Code; Fair Treatment; Legislators

Description:

Amends the scope of action that is permitted by the fair treatment provisions of the ethics code from official action by a legislator to taking action in the exercise of the legislator's 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.

