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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. Chapter 84, Hawaii Revised Statutes, is amended  
2 by adding a new section to part II to be appropriately  
3 designated and to read as follows:

4           "§84-    Extracurricular service; exemption. (a) An  
5 employee may engage in extracurricular service as provided in  
6 this section and not be in violation of this part.

7           (b) To be exempt from this part pursuant to subsection  
8 (a), the conduct of the employee shall comply with the  
9 following:

10          (1) The employee shall not solicit, accept, or receive,  
11          directly or indirectly, any gift for engaging in  
12          extracurricular service, as provided in section 84-11;  
13          provided that the employee may receive detached  
14          remuneration for the performance of extracurricular  
15          services;



1       (2) The detached remuneration received by the employee  
2       shall only be used by the employee in connection with  
3       the performance of the extracurricular services; and

4       (3) The detached remuneration received by the employee  
5       shall not be provided by a business or other  
6       undertaking in which the employee has a substantial  
7       financial interest, or in which the employee is  
8       engaged as legal counsel, advisor, consultant,  
9       representative, or in any other agency capacity.

10       (c) As used in this section:

11       "Detached remuneration" means a benefit or economic value  
12       that is received by an employee in exchange for the employee's  
13       performance of an extracurricular service that is consistent  
14       with, supplemental to, or complementary to the employee's  
15       existing job duties or description with a state agency,  
16       including but not limited to the receipt of travel.

17       "Extracurricular service" means a service performed by an  
18       employee that is not compensated by any state agency, but is  
19       known to and approved by the state agency that employs the  
20       employee. The service performed shall be consistent with,  
21       reasonably related to, and in addition to but outside of the



1 public duties and responsibilities and normal business hours of  
2 the employee. Such service includes but is not limited to  
3 working with private individuals and providers and arranging,  
4 scheduling, organizing, attending, and participating in  
5 meetings, conferences, visitations, travel, trips, or other  
6 gatherings on behalf of or for the benefit of other employees of  
7 the same state agency, or of students or team members of the  
8 employee."

9 SECTION 2. Section 84-1, Hawaii Revised Statutes, is  
10 repealed.

11 [~~"§84-1 Construction. This chapter shall be liberally~~  
12 ~~construed to promote high standards of ethical conduct in state~~  
13 ~~government."]~~

14 SECTION 3. Any existing policy, procedure, or rule  
15 previously adopted by any department or other state agency shall  
16 be reviewed for consistency and compliance with this Act within  
17 ninety days of the effective date of this Act.

18 SECTION 4. Statutory material to be repealed is bracketed  
19 and stricken. New statutory material is underscored.

20 SECTION 5. This Act shall take effect upon its approval.



**Report Title:**

State Ethics Code; Extracurricular Service; Exemption

**Description:**

Exempts extracurricular service of employees from the prohibition on gift receipt in the State Ethics Code if certain conditions are met. Repeals section relating to statutory interpretation of the State Ethics Code. (HB1713 HD1)

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

