

JAN 22 2016

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 part II of this
7 chapter.

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

11 (1) The employee shall not solicit, accept, or receive,
12 directly or indirectly any gift for engaging in
13 extracurricular service, as provided in section 84-11;
14 provided that the employee may receive detached
15 remuneration for the performance of extracurricular
16 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 supplemental, or complementary to the employee's existing job
15 duties or description with a state agency, including but not
16 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 must 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. Any existing policy, procedure, or rule
 10 previously adopted by any department or other state agency shall
 11 be reviewed for consistency and compliance with this Act within
 12 ninety days of the effective date of this Act.

13 SECTION 3. New statutory material is underscored.

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

INTRODUCED BY:

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... *Breene ...*
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S.B. NO. 2601

Report Title:

State Ethics Code; Extracurricular Service; Exemption

Description:

Exempts extracurricular service of employees from the state ethics code if certain conditions are met. Defines detached remuneration and extracurricular service.

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