

---

---

# A BILL FOR AN ACT

RELATING TO LOBBYISTS.

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

1           SECTION 1. The legislature finds that it is in the public  
2 interest to keep a distinct wall of separation between lobbyists  
3 and the State's elected officials and certain other government  
4 employees. Accordingly, the purpose of this Act is to promote  
5 good government by prohibiting elected officials and executive  
6 branch employees subject to senate confirmation from  
7 representing other interests before the State and colleagues  
8 with whom they have served, for twelve months after termination  
9 of their respective positions.

10           SECTION 2. Section 84-18, Hawaii Revised Statutes, is  
11 amended to read as follows:

12           "§84-18 Restrictions on post employment. (a) No former  
13 legislator or employee shall disclose any information which by  
14 law or practice is not available to the public and which the  
15 former legislator or employee acquired in the course of the  
16 former legislator's or employee's official duties or use the



1 information for the former legislator's or employee's personal  
2 gain or the benefit of anyone.

3 (b) No former legislator, within twelve months after  
4 termination of the former legislator's employment, shall  
5 ~~represent~~:

6 (1) Represent any person or business for a fee or other  
7 consideration, on matters in which the former  
8 legislator participated as a legislator or on matters  
9 involving official action by the legislature[-]; or

10 (2) Engage in lobbying as defined by section 97-1.

11 (c) No former executive branch employee who was employed  
12 in a position requiring senate confirmation, within twelve  
13 months after termination of the former executive branch  
14 employee's employment, shall:

15 (1) Represent any person or business for a fee or other  
16 consideration, on matters in which the former  
17 executive branch employee participated as an executive  
18 branch employee or on matters involving official  
19 action by the state agency or subdivision thereof with  
20 which the former employee had actually served; or

21 (2) Engage in lobbying as defined by section 97-1.



1           ~~[(e)]~~ (d) No former employee, within twelve months after  
2 termination of the former employee's employment, shall represent  
3 any person or business for a fee or other consideration, on  
4 matters in which the former employee participated as an employee  
5 or on matters involving official action by the particular state  
6 agency or subdivision thereof with which the former employee had  
7 actually served. This section shall not apply to a former task  
8 force member who, but for service as a task force member, would  
9 not be considered an employee.

10           ~~[(d)]~~ (e) This section shall not prohibit any agency from  
11 contracting with a former legislator or employee to act on a  
12 matter on behalf of the State within the period of limitations  
13 stated herein, and shall not prevent ~~[such]~~ the legislator or  
14 employee from appearing before any agency in relation to ~~[such~~  
15 ~~employment.]~~ that employment; provided that no former legislator  
16 shall engage in lobbying during the period proscribed pursuant  
17 to subsection (b); provided further that no former executive  
18 branch employee who was employed in a position requiring senate  
19 confirmation shall engage in lobbying during the period  
20 proscribed pursuant to subsection (c).



1        [~~e~~] (f) This section shall not apply to any person who  
2 is employed by the State for a period of less than one hundred  
3 and eighty-one days.

4        [~~f~~] (g) For the purposes of this section, "represent"  
5 means to engage in direct communication on behalf of any person  
6 or business with a legislator, a legislative employee, a  
7 particular state agency or subdivision thereof, or their  
8 employees."

9        SECTION 3. This Act does not affect rights and duties that  
10 matured, penalties that were incurred, and proceedings that were  
11 begun before its effective date.

12        SECTION 4. Statutory material to be repealed is bracketed  
13 and stricken. New statutory material is underscored.

14        SECTION 5. This Act shall take effect on July 1, 2020.



**Report Title:**

Post-Employment; Lobbying; Legislators; Executive Branch  
Employees

**Description:**

Prohibits former legislators and executive branch employees subject to senate confirmation from engaging in lobbying for twelve months after termination of employment as a legislator or executive branch employee. Takes effect 7/1/2020. (SD1)

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

