
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 many legislators are
2 employed in the private sector in addition to their employment
3 with the legislature. Currently, the state ethics code
4 prohibits legislators from assisting or representing private
5 clients, for pay, on matters before the legislature. The state
6 ethics code, however, does not necessarily prohibit legislators
7 from assisting or representing, with or without pay, private
8 clients in matters before other state agencies. This can create
9 an appearance of impropriety: state agency employees may feel
10 pressured to treat the legislator or the legislator's clients
11 more favorably because of the legislator's position, and the
12 public may perceive that the legislator may, in fact, receive
13 more favorable treatment.

14 The purpose of this Act is to promote integrity in state
15 government by prohibiting legislators from assisting or
16 representing, with or without compensation, private persons or



1 businesses before any state agency, which as defined by section
2 84-3, Hawaii Revised Statutes, excludes the courts.

3 SECTION 2. Section 84-14, Hawaii Revised Statutes, is
4 amended by amending subsection (d) to read as follows:

5 "(d) No [~~legislator or~~] employee shall assist any person
6 or business or act in a representative capacity for a fee or
7 other compensation to secure passage of a bill or to obtain a
8 contract, claim, or other transaction or proposal in which the
9 [~~legislator or~~] employee has participated or will participate as
10 [~~a legislator or~~] an employee, nor shall the [~~legislator or~~]
11 employee assist any person or business or act in a
12 representative capacity for a fee or other compensation on such
13 bill, contract, claim, or other transaction or proposal before
14 the [~~legislature or agency of which the legislator or employee~~
15 ~~is an employee or legislator.~~] employee's agency. No legislator
16 shall act in a representative capacity for a fee or other
17 compensation, excluding the legislator's legislative salary, or
18 otherwise assist any person, business, or other private entity
19 on any matter pending before a state agency."



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

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 Statutory material to be repealed is bracketed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

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

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H.B. NO. 1937

Report Title:

Legislator; State Ethics Code; State Agency; Fee; Compensation;
Representation; Courts

Description:

Prohibits legislators from assisting or representing, with or without compensation, private persons or businesses before all state agencies, excluding the courts.

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

