
A BILL FOR AN ACT

RELATING TO THE STATE ETHICS CODE.

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

1 SECTION 1. Section 84-2, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "**§84-2 Applicability.** This chapter shall apply to every
4 nominated, appointed, or elected officer, employee, and
5 candidate to elected office of the State and for election to the
6 constitutional convention, but excluding justices and judges[7]
7 except as otherwise provided; provided that in the case of
8 elected delegates and employees of the constitutional
9 convention, this chapter shall apply only to the enforcement and
10 administration of the code of ethics adopted by the
11 constitutional convention."

12 SECTION 2. Section 84-14, Hawaii Revised Statutes, is
13 amended by amending subsections (a), (b), and (c) to read as
14 follows:-

15 "(a) No legislator, delegate to the constitutional
16 convention, employee, justice, or judge shall take any official
17 action directly affecting:



- 1 (1) A business or other undertaking in which the employee
2 has a substantial financial interest; or
3 (2) A private undertaking in which the employee is engaged
4 as legal counsel, advisor, consultant, representative,
5 or other agency capacity.

6 A department head who is unable to disqualify the
7 department head's self on any matter described in paragraphs (1)
8 and (2) will not be in violation of this subsection if the
9 department head has complied with the disclosure requirements of
10 section 84-17.

11 A person whose position on a board, commission, or
12 committee is mandated by statute, resolution, or executive order
13 to have particular qualifications shall only be prohibited from
14 taking official action that directly and specifically affects a
15 business or undertaking in which the person has a substantial
16 financial interest; provided that the substantial financial
17 interest is related to the member's particular qualifications.

18 (b) No legislator, delegate to the constitutional
19 convention, employee, justice, or judge shall acquire financial
20 interests in any business or other undertaking which the



1 employee has reason to believe may be directly involved in
2 official action to be taken by the employee.

3 (c) No legislator [~~or employee~~], delegate to the
4 constitutional convention, employee, justice, or judge shall
5 assist any person or business or act in a representative
6 capacity before any state or county agency for a contingent
7 compensation in any transaction involving the State."

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

11 SECTION 3. Statutory material to be repealed is bracketed
12 and stricken. New statutory material is underscored.

13 SECTION 4. This Act shall take effect upon its approval.
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INTRODUCED BY:

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H.B. NO. 2120

Report Title:

0State Ethics Code; Conflicts of Interests

Description:

Amends the certain parts of the conflicts of interests provision of the State Ethics Code to include members of the legislature, delegates to the constitutional convention, and justices and judges of all state courts.

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

