

ACT 20

H.B. NO. 138

A Bill for an Act Relating to Mandatory Lobbyist Training.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. The legislature finds that requiring all lobbyists to be educated on the State's lobbying laws and ethics code is in the State's best interests. Regular training by the state ethics commission will ensure that all persons engaged in lobbying activities are aware of current laws, which will increase the public's confidence in state government.

Accordingly, the purpose of this Act is to improve standards of conduct by requiring the state ethics commission to establish and administer a lobbyist training course and making the lobbyist training course mandatory for all lobbyists who are required to register under chapter 97, Hawaii Revised Statutes.

SECTION 2. Chapter 97, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

“§97- Mandatory lobbyist training. (a) Before registering pursuant to section 97-2, each lobbyist shall complete the lobbyist training course administered by the state ethics commission.

(b) Registered lobbyists shall repeat the lobbyist training course required by this section at least once every two years.

(c) A lobbyist shall certify completion of the lobbyist training course at the time of registering or renewing registration and shall maintain all certificates or other documentation of completion for a period of six years from the date of registration or renewal.

(d) For good cause shown, the state ethics commission may grant a lobbyist an extension of time to complete the training course required by this section.

(e) The state ethics commission shall develop and conduct online and live training courses that explain state lobbying laws under this chapter and relevant ethics laws under chapter 84. Live training courses may be conducted in person or via videoconference, as necessary, to accommodate all persons who are required to complete the course.”

SECTION 3. Section 97-2, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

- “(b) Each lobbyist shall provide and certify the following [information]:
- (1) The name, mailing address, and business telephone number of the lobbyist[-];
 - (2) The name and principal place of business of each person by whom the lobbyist is retained or employed or on whose behalf the lobbyist

appears or works and a written authorization to act as a lobbyist from each person by whom the lobbyist is employed or with whom the lobbyist contracts[-];

- (3) The subject areas on which the lobbyist expects to lobby[-]; and
- (4) Documentation confirming the lobbyist's completion of the mandatory lobbyist training course pursuant to section 97- .”

SECTION 4. Section 97-7, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) Any person who:

- (1) Negligently fails to file any statement or report required by this chapter;
- (2) Negligently files a statement or report containing false information or material omission of any fact;
- (3) Engages in activities prohibited by section 97-5; or
- (4) Fails to provide information required by section 97-2, including documentation confirming completion of the mandatory lobbyist training course, or 97-3;

shall be subject to an administrative fine imposed by the state ethics commission that shall not exceed \$1,000 for each violation of this chapter. All fines collected under this section shall be deposited into the general fund.”

SECTION 5. In the absence of good cause shown, each lobbyist who is registered with the state ethics commission as of the effective date of this Act shall complete the lobbyist training course required by section 2 of this Act, within six months following the effective date of this Act, and at least once every two years thereafter.

SECTION 6. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.¹

SECTION 7. This Act shall take effect upon its approval.

(Approved April 19, 2023.)

Note

1. Edited pursuant to HRS §23G-16.5.