June 21, 2019

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

This is to inform you that on June 21, 2019, the following bill was signed into law:

HB170 HD1 SD1 CD1 RELATING TO ETHICS ACT 119 (19)

Sincerely,

DAVID Y. IGE
Governor, State of Hawai'i
A BILL FOR AN ACT

RELATING TO ETHICS.

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

SECTION 1. The purpose of this Act is to increase clarity and consistency in the administration and enforcement of the State's ethics laws and to promote integrity in state government by:

(1) Clarifying the fair treatment laws and conflict of interest laws with respect to legislators and task force members; and

(2) Requiring the state ethics commission to adopt rules regarding the fair treatment laws and the public disclosures required of task force members.

SECTION 2. Section 84-13, Hawaii Revised Statutes, is amended to read as follows:

"§84-13 Fair treatment. (a) No legislator or employee shall use or attempt to use the legislator's or employee's official position to secure or grant unwarranted privileges, exemptions, advantages, contracts, or treatment, for oneself or others; including but not limited to the following:

HB170 CD1 HMS 2019-3938
(1) Seeking other employment or contract for services for oneself by the use or attempted use of the legislator's or employee's office or position;

(2) Accepting, receiving, or soliciting compensation or other consideration for the performance of the legislator's or employee's official duties or responsibilities except as provided by law;

(3) Using state time, equipment or other facilities for private business purposes;

(4) Soliciting, selling, or otherwise engaging in a substantial financial transaction with a subordinate or a person or business whom the legislator or employee inspects or supervises in the legislator's or employee's official capacity.

(b) Nothing herein in this section shall be construed to prohibit a legislator from introducing bills and resolutions, or to prevent a person from serving on a task force, or from serving on a task force committee, or from making statements or taking official action as a legislator, or a task force member or a task force member's designee or representative.

Every legislator or task force member or designee or
representative of a task force member shall file a full and complete public disclosure of] shall publicly disclose the nature and extent of the interest or transaction [which] that the legislator [or task force member or task force member's designee or representative] believes may be affected by the legislator's [or task force member's] official action.

(c) Nothing in this section shall be construed to prevent a person from:

(1) Serving on a task force; or

(2) Making statements or taking official action as a task force member or a task force member's designee or representative;

provided that every task force member or designee or representative of a task force member shall publicly disclose the nature and extent of any interest or transaction that the task force member or task force member's designee or representative believes may be affected by the task force member's official action.

(d) The state ethics commission shall adopt rules pursuant to chapter 91 to effectuate the purposes of this section."
SECTION 3. Section 84-14, Hawaii Revised Statutes, is amended by amending subsection (f) to read as follows:

"(f) (Subsections (a), (b), and (d) shall not apply to a task force member or the designee or representative of that task force member whose service as a task force member would not otherwise cause that member, designee, or representative to be considered an employee, if the task force member or the designee or representative of that task force member complies with the disclosure requirements under section 84-17.) Nothing in this section shall be construed to prevent a person from:

(1) Serving on a task force; or
(2) Making statements or taking official action as a task force member or a task force member's designee or representative;

provided that every task force member or designee or representative of a task force member shall publicly disclose the nature and extent of any interest or transaction that the task force member or task force member's designee or representative believes may be affected by the task force member's official action. The state ethics commission shall
adopt rules pursuant to chapter 91 to effectuate the purposes of
this subsection."

SECTION 4. The state ethics commission, in its discretion, may make any changes that it deems necessary to its internal procedures or forms to aid in the implementation of this Act.

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

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

APPROVED this 21 day of JUN, 2019

David Ige
GOVERNOR OF THE STATE OF HAWAII
THE SENATE OF THE STATE OF HAWAIʻI

Date: April 25, 2019
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the Senate of the Thirtieth Legislature of the State of Hawaiʻi, Regular Session of 2019.

President of the Senate

Clerk of the Senate
HB No. 170, HD 1, SD 1, CD 1

THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: April 25, 2019
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Thirtieth Legislature of the State of Hawaii, Regular Session of 2019.

Scott K. Saiki
Speaker
House of Representatives

Brian L. Takeshita
Chief Clerk
House of Representatives