



EXECUTIVE CHAMBERS
HONOLULU

DAVID Y. IGE
GOVERNOR

June 21, 2019

GOV. MSG. NO. 1221

The Honorable Ronald D. Kouchi,
President
and Members of the Senate
Thirtieth State Legislature
State Capitol, Room 409
Honolulu, Hawai'i 96813

The Honorable Scott K. Saiki,
Speaker and Members of the
House of Representatives
Thirtieth State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

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:

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

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

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

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

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



- 1 (1) Seeking other employment or contract for services for
- 2 oneself by the use or attempted use of the
- 3 legislator's or employee's office or position[-];
- 4 (2) Accepting, receiving, or soliciting compensation or
- 5 other consideration for the performance of the
- 6 legislator's or employee's official duties or
- 7 responsibilities except as provided by law[-];
- 8 (3) Using state time, equipment or other facilities for
- 9 private business purposes[-]; or
- 10 (4) Soliciting, selling, or otherwise engaging in a
- 11 substantial financial transaction with a subordinate
- 12 or a person or business whom the legislator or
- 13 employee inspects or supervises in the legislator's or
- 14 employee's official capacity.

15 (b) Nothing [~~herein~~] in this section shall be construed to

16 prohibit a legislator from introducing bills and resolutions,

17 [~~or to prevent a person from serving on a task force or~~] from

18 serving on a [~~task force~~] committee, or from making statements

19 or taking official action as a legislator [~~, or a task force~~

20 ~~member or a task force member's designee or representative~~].

21 Every legislator [~~, or task force member or designee or~~



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

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

9 (1) Serving on a task force; or

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

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

19 (d) The state ethics commission shall adopt rules pursuant
20 to chapter 91 to effectuate the purposes of this section."



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

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

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

15 provided that every task force member or designee or
16 representative of a task force member shall publicly disclose
17 the nature and extent of any interest or transaction that the
18 task force member or task force member's designee or
19 representative believes may be affected by the task force
20 member's official action. The state ethics commission shall



1 adopt rules pursuant to chapter 91 to effectuate the purposes of
2 this subsection."

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

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

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

APPROVED this 21 day of JUN , 2019



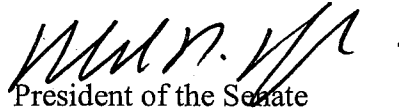
GOVERNOR OF THE STATE OF HAWAII



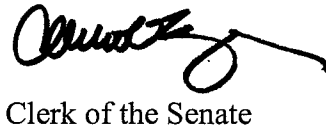
THE SENATE OF THE STATE OF HAWAI'I

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 Hawai'i, 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