A BILL FOR AN ACT

RELATING TO THE STATE ETHICS CODE.

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

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

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

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

"(a) No legislator, delegate to the constitutional convention, employee, justice, or judge shall take any official action directly affecting:
(1) A business or other undertaking in which the employee has a substantial financial interest; or

(2) A private undertaking in which the employee is engaged as legal counsel, advisor, consultant, representative, or other agency capacity.

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

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

(b) No legislator, delegate to the constitutional convention, employee, justice, or judge shall acquire financial interests in any business or other undertaking which the
employee has reason to believe may be directly involved in
official action to be taken by the employee.

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

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

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

SECTION 4. This Act shall take effect upon its approval.
Report Title:
State 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.