

JAN 25 2017

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# A BILL FOR AN ACT

RELATING TO ETHICS.

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

1           SECTION 1. Chapter 84, Hawaii Revised Statutes, is amended  
2 by adding a new section to part II to be appropriately  
3 designated and to read as follows:

4           "§84-    Extracurricular service; exemption.    (a) An  
5 employee may engage in extracurricular service, as provided in  
6 this section, and not be in violation of part II of this  
7 chapter.

8           (b) To be exempt from part II of this chapter pursuant to  
9 subsection (a), the conduct of the employee shall comply with  
10 the following:

11           (1) Pursuant to section 84-11, the employee shall not  
12 solicit, accept, or receive, directly or indirectly,  
13 any gift for engaging in extracurricular service;  
14 provided that the employee may receive detached  
15 remuneration for the performance of extracurricular  
16 services;



1       (2) The detached remuneration received by the employee  
2       shall only be used by the employee in connection with  
3       the performance of the extracurricular services; and

4       (3) The detached remuneration received by the employee  
5       shall not be provided by a business or other  
6       undertaking in which the employee has a substantial  
7       financial interest, or in which the employee is  
8       engaged as legal counsel, advisor, consultant,  
9       representative, or in any other agency capacity.

10       (c) As used in this section:

11       "Detached remuneration" means a benefit or economic value  
12       that is received by an employee in exchange for the employee's  
13       performance of an extracurricular service that is consistent,  
14       supplemental, or complementary to the employee's existing job  
15       duties or description with a state agency, including but not  
16       limited to the receipt of travel.

17       "Extracurricular service" means a service performed by an  
18       employee that is not compensated by any state agency, but is  
19       known to and approved by the state agency that employs the  
20       employee. The service performed shall be consistent with,  
21       reasonably related to, and in addition to but outside of the



1 public duties and responsibilities and normal business hours of  
 2 the employee. Such service includes but is not limited to  
 3 working with private individuals and providers, and arranging,  
 4 scheduling, organizing, attending, and participating in  
 5 meetings, conferences, visitations, travel, trips, or other  
 6 gatherings on behalf of or for the benefit of other employees of  
 7 the same state agency, or of students or team members of the  
 8 employee."

9 SECTION 2. Any existing policy, procedure, or rule  
 10 previously adopted by any department or other state agency shall  
 11 be reviewed for consistency and compliance with this Act within  
 12 ninety days of the effective date of this Act.

13 SECTION 3. New statutory material is underscored.

14 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY:

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# S.B. NO. 1287

**Report Title:**

Ethics Code; Exemption; Extracurricular Service

**Description:**

Exempts extracurricular service of employees from the state ethics code if certain conditions are met. Defines detached remuneration and extracurricular service.

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