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# A BILL FOR AN ACT

RELATING TO THE CODE OF ETHICS.

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

1           SECTION 1. The purpose of this Act is to clarify the fair  
2 treatment law by separating certain limitations placed on task  
3 force members from those placed on legislators and making clear  
4 that legislators are not prohibited from taking action in the  
5 exercise of their legislative functions.

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

8           "**§84-13 Fair treatment.** (a) No legislator or employee  
9 shall use or attempt to use the legislator's or employee's  
10 official position to secure or grant unwarranted privileges,  
11 exemptions, advantages, contracts, or treatment, for oneself or  
12 others; including but not limited to the following:

13           (1) Seeking other employment or contract for services for  
14 oneself by the use or attempted use of the  
15 legislator's or employee's office or position.

16           (2) Accepting, receiving, or soliciting compensation or  
17 other consideration for the performance of the



1 legislator's or employee's official duties or  
2 responsibilities except as provided by law.

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

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

10 (b) Nothing [herein] in this section shall be construed to  
11 prohibit a legislator from introducing bills and resolutions,  
12 ~~[or to prevent a person from serving on a task force or]~~ from  
13 serving on ~~[a task force committee,]~~ committees, or from making  
14 statements or taking ~~[official]~~ action ~~[as a legislator, or a~~  
15 ~~task force member or a task force member's designee or~~  
16 ~~representative.]~~ in the exercise of the legislator's legislative  
17 functions. Every legislator~~[, or task force member or designee~~  
18 ~~or representative of a task force member]~~ shall file a full and  
19 complete public disclosure of the nature and extent of the  
20 interest or transaction which the legislator ~~[or task force~~  
21 ~~member or task force member's designee or representative]~~



1 believes may be affected by [~~the legislator's or task force~~  
2 ~~member's official action.~~] legislative action.

3 (c) Nothing in this section shall be construed to prevent  
4 a person from serving on a task force or a task force committee,  
5 or from making statements or taking official action as a task  
6 force member or a task force member's designee or  
7 representative. Every task force member or designee or  
8 representative of a task force member shall file a full and  
9 complete public disclosure of the nature and extent of the  
10 interest or transaction that the task force member or task force  
11 member's designee or representative believes may be affected by  
12 the task force member's official action."

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

15 SECTION 4. This Act shall take effect on July 1, 2050.



**Report Title:**

Ethics Code; Fair Treatment; Legislators; Task Force Members

**Description:**

Clarifies the fair treatment law by delineating limitations placed on persons who are task force members from those placed on legislators who are task force members. Clarifies that legislators are not prohibited from making statements or taking action in the exercise of their legislative functions. (HB98 HD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

