

---

---

# A BILL FOR AN ACT

RELATING TO LEGISLATIVE ETHICS AND ACCOUNTABILITY.

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

1       SECTION 1. The legislature finds that the existing system  
2 of investigating legislative misconduct, in which lawmakers may  
3 be asked to investigate the conduct of fellow lawmakers, creates  
4 a structural conflict of interest and undermines public  
5 confidence. The legislature further finds that an independent  
6 review mechanism would enhance transparency, accountability, and  
7 the integrity of the legislative process.

8       Accordingly, the purpose of this Act is to strengthen  
9 public trust in the legislative branch by establishing the  
10 office of legislative ethics and accountability as an  
11 independent, nonpartisan entity empowered to receive and  
12 investigate complaints alleging ethical violations or misconduct  
13 by current members or current employees of the state  
14 legislature.

15       SECTION 2. The Hawaii Revised Statutes is amended by  
16 adding a new chapter to title 3 to be appropriately designated  
17 and to read as follows:



1 "CHAPTER

2 OFFICE OF LEGISLATIVE ETHICS AND ACCOUNTABILITY

3 § -1 Definitions. For the purposes of this chapter:

4 "Board" means the office of legislative ethics and  
5 accountability oversight board established under this chapter.

6 "Legislative employee" means any employee of the house of  
7 representatives or senate, including staff of individual  
8 members, committees, or administrative offices.

9 "Member" means a current member of the house of  
10 representatives or senate.

11 "Misconduct" includes violations of law, violations of  
12 legislative ethics rules, conflicts of interest, abuse of  
13 office, or misuse of state resources.

14 "Office" means the office of legislative ethics and  
15 accountability established under this chapter.

16 § -2 Office of legislative ethics and accountability;  
17 establishment. (a) There is established the office of  
18 legislative ethics and accountability, which shall be  
19 independent and nonpartisan.



1           (b) The office shall be placed within the legislative  
2 branch for administrative purposes only, similar in structure to  
3 the office of the auditor.

4           (c) The office shall not be subject to control, direction,  
5 or supervision by any legislator, legislative body, committee,  
6 or employee.

7           §   -3   **Oversight board; composition.**   (a) The office  
8 shall be overseen by a five-member board.

9           (b) The board shall comprise the following:

- 10          (1) Two members appointed by the chief justice of the  
11             supreme court;
- 12          (2) One member appointed by the state ethics commission;
- 13          (3) One member appointed jointly by the dean of the  
14             university of Hawaii at Manoa William S. Richardson  
15             school of law and the director of the university of  
16             Hawaii at Manoa public policy center; and
- 17          (4) One member selected unanimously by the four appointed  
18             members.

19          (c) No board member shall be:

- 20          (1) A current legislator;
- 21          (2) A current legislative employee; or



(3) A person who has been a legislator or legislative employee within the past three years.

(d) The chairperson of the board shall be elected by the majority of the members of the board. The term of each member of the board shall be for four years, commencing on July 1 and expiring on June 30; provided that the initial terms of the appointed members shall be staggered as follows:

(1) Members appointed by the chief justice of the supreme court shall serve four-year terms;

(2) Members appointed by the state ethics commission and university of Hawaii shall serve three-year terms; and

(3) The member selected by the appointed members of the board shall serve a two-year term.

No person shall be appointed consecutively to more than two terms as a member of the board. A vacancy on the board shall be filled for the remainder of the unexpired term in the same manner as the original appointment.

**§ -4 Powers and duties of the office.** The office shall:

(1) Receive complaints alleging misconduct by current legislators or current legislative employees;



- (2) Conduct preliminary reviews to determine whether further investigation is warranted;
- (3) Initiate investigations, including the issuance of subpoenas, administration of oaths, and taking of testimony;
- (4) Prepare written findings of fact;
- (5) Refer matters to appropriate authorities, including:
  - (A) The house of representatives or senate for discipline or expulsion;
  - (B) The state ethics commission; and
  - (C) The attorney general or county prosecutors;
- (6) Make public reports consistent with due process and confidentiality requirements; and
- (7) Adopt rules pursuant to chapter 91 to carry out its responsibilities.

§ -5 **Due process; confidentiality.** (a) The office shall establish procedures ensuring fairness, notice, and an opportunity to respond for any individual who is the subject of a complaint.



1           (b) Investigative materials shall remain confidential,  
2 except as required in referrals or public reports authorized by  
3 the board.

4           §   -6.   **Executive director and staff.**   (a) The board  
5 shall appoint an executive director who shall serve as the chief  
6 administrative officer of the office.

7           (b) The executive director may hire:

8           (1) Two investigators; and

9           (2) Two support staff,

10 and may contract for additional services, as necessary."

11           SECTION 3. Section 84-31, Hawaii Revised Statutes, is  
12 amended by amending subsection (a) to read as follows:

13           "(a) The ethics commission shall have the following powers  
14 and duties:

15           (1) It shall prescribe forms for the disclosures required  
16 by article XIV of the Hawaii constitution and section  
17 84-17 and the gifts disclosure statements required by  
18 section 84-11.5 and shall establish orderly procedures  
19 for implementing the requirements of those provisions;

20           (2) It shall provide advice upon the request of any person  
21 as to whether the facts and circumstances of a



1 particular situation constitute or will constitute a  
2 violation of the code of ethics or other laws or rules  
3 administered and enforced by the commission, and  
4 discuss ways to avoid an appearance of impropriety. A  
5 person receiving advice from the commission may  
6 request a written summary of that advice. The  
7 commission shall treat all advice requests, responses,  
8 and related materials as confidential. Written  
9 summaries shall be confidential unless the recipient  
10 waives confidentiality;

11 (3) It shall render advisory opinions upon the request of  
12 any legislator, employee, or delegate to the  
13 constitutional convention, or person formerly holding  
14 such office or employment as to whether the facts and  
15 circumstances of a particular case constitute or will  
16 constitute a violation of the code of ethics. If no  
17 advisory opinion is rendered within ninety days after  
18 the request is filed with the commission, it shall be  
19 deemed that an advisory opinion was rendered and that  
20 the facts and circumstances of that particular case do  
21 not constitute a violation of the code of ethics. The



1 opinion rendered or deemed rendered, until amended or  
2 revoked, shall be binding on the commission in any  
3 subsequent charges concerning the legislator,  
4 employee, or delegate to the constitutional  
5 convention, or person formerly holding such office or  
6 employment, who sought the opinion and acted in  
7 reliance on it in good faith, unless material facts  
8 were omitted or misstated by such persons in the  
9 request for an advisory opinion. The commission shall  
10 also render public general advisory opinions  
11 concerning proper interpretation of the code of ethics  
12 and other laws or rules administered and enforced by  
13 the commission, if it deems the opinion of sufficient  
14 general interest and importance;

- 15 (4) It may initiate an investigation into alleged,  
16 possible, or potential violations of this chapter and  
17 other laws or rules administered and enforced by the  
18 commission, on a confidential basis, having available  
19 all of the powers herein provided, whether the  
20 investigation is made based on a charge allegation,  
21 other information or indications, or as the commission





determines is in the public interest; provided that an investigation into alleged, possible, or potential violations committed by a legislator or legislative employee shall be initiated only upon referral by the office of legislative ethics and accountability;

(5) It shall initiate, receive, and consider charges and other information, on a confidential basis, concerning alleged, possible, or potential violations of this chapter and other laws or rules administered and enforced by the commission, initiate or make investigation, and hold hearings;

(6) Upon adoption of a resolution defining the scope and nature of the inquiry, supported by a vote of three or more members of the commission, it may subpoena witnesses, administer oaths, and take testimony relating to matters before the commission and require the production for examination of any books or papers relative to any matter under investigation or in question before the commission;

(7) It may, from time to time adopt, amend, and repeal any rules, not inconsistent with this chapter, that in the



1 judgment of the commission seem appropriate for the  
2 carrying out of this chapter and for the efficient  
3 administration thereof, including every matter or  
4 thing required to be done or which may be done with  
5 the approval or consent or by order or under the  
6 direction or supervision of or as prescribed by the  
7 commission. The rules, when adopted as provided in  
8 chapter 91, shall have the force and effect of law;

9 (8) It shall have jurisdiction for purposes of  
10 investigation and taking appropriate action on  
11 possible violations of this chapter in all proceedings  
12 commenced within six years of a possible violation of  
13 this chapter by a legislator or employee or former  
14 legislator or employee. A proceeding shall be deemed  
15 commenced by the filing of a charge with the  
16 commission or by the signing of a charge by three or  
17 more members of the commission. Nothing herein shall  
18 bar proceedings against a person who by fraud or other  
19 device, prevents discovery of a violation of this  
20 chapter;



1           (9) It shall distribute its publications without cost to  
2           the public and shall initiate and maintain programs  
3           with the purpose of educating the citizenry and all  
4           legislators, employees, and delegates to the  
5           constitutional convention on matters of ethics in  
6           government employment; and

7           (10) It shall administer any code of ethics adopted by a  
8           state constitutional convention, subject to the  
9           procedural requirements of this part and any rules  
10          adopted thereunder."

11          SECTION 4. There is appropriated out of the general  
12 revenues of the State of Hawaii the sum of \$500,000 or so much  
13 thereof as may be necessary for fiscal year 2026-2027 to  
14 establish and operate the office of legislative ethics and  
15 accountability.

16          The sum appropriated shall be expended by the office of  
17 legislative ethics and accountability for the purposes of this  
18 Act.

19          SECTION 5. New statutory material is underscored.



1       SECTION 6. This Act shall take effect upon its approval;  
2 provided that section 4 of this Act shall take effect on July 1,  
3 2026.

4

INTRODUCED BY:

A handwritten signature in black ink, appearing to be 'V. J. ...', written over a horizontal line.

JAN 20 2026



# H.B. NO. 1675

**Report Title:**

Office of Legislative Ethics and Accountability; State Ethics Commission; Appropriation

**Description:**

Establishes the Office of Legislative Ethics and Accountability as an independent, nonpartisan entity to receive and investigate complaints alleging ethical violations or misconduct by current members or current employees of the state legislature. Appropriates moneys.

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

