
A BILL FOR AN ACT

RELATING TO NEPOTISM.

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

1 SECTION 1. The legislature recognizes the importance of
2 maintaining transparency, accountability, and fairness in
3 government operations. While existing laws prohibit most state
4 employees from hiring or supervising relatives or awarding
5 contracts to businesses owned by relatives or household members,
6 these provisions do not currently extend to legislators or
7 employees of the legislative and judicial branches.

8 Accordingly, the purpose of this Act is to subject
9 legislative and judicial employees to the same ethical standards
10 as other state employees, effectively preventing nepotism across
11 all branches of state government.

12 SECTION 2. Section 84-13.2, Hawaii Revised Statutes, is
13 amended to read as follows:

14 "~~+~~§84-13.2~~+~~ **Nepotism; prohibition.** (a) No legislator
15 or employee shall:



H.B. NO. 2110

(1) Appoint, hire, promote, or retain a relative or household member to, or demote, discharge, or terminate a relative or household member from; or

(2) Participate in an interview or discussion regarding the appointment, hiring, promotion, or retention of a relative or household member to, or the demotion, discharge, or termination of a relative or household member from,

a paid position in the legislator's or employee's employing agency; provided that this subsection shall not prohibit ~~an~~ a legislator or employee from performing ministerial acts that may impact the relative or household member if those acts are a part of the normal job functions of the employee.

(b) No legislator or employee shall supervise a relative or household member unless the legislator or employee:

(1) Has a physical impairment requiring the employment of a particular relative or household member; provided that the legislator or employee discloses the prospective employment to the state ethics commission before the appointment or hire is made; or



1 (2) Disqualifies oneself from taking any official action
2 directly affecting ~~[the]~~ a relative or household
3 member.

4 (c) No legislator or employee shall award a contract to or
5 otherwise take official action on a contract with a business if
6 the legislator or employee knows or reasonably should know that
7 the legislator's or employee's relative or household member is
8 an executive officer of or holds a substantial ownership
9 interest in that business.

10 (d) Notwithstanding the prohibitions in this section, if
11 ~~[an]~~ a legislator or employee who is a supervisor or executive
12 director is unable to waive or disengage from completing their
13 official duties or from taking official action and is legally
14 required to take action that directly impacts a relative or
15 household member receiving an award or other official action on
16 a contract described in subsection (c), the legislator or
17 employee shall not be in violation of this section if the
18 legislator or employee:

19 (1) Has complied with the disclosure requirements of
20 section 84-17; and



1 (2) Posts a notice of intent to award the contract and
2 files a copy of the notice with the state ethics
3 commission at least five days before awarding the
4 contract. If the posting and filing of the award in
5 advance is otherwise prohibited by law, notice shall
6 be posted and filed as soon as practicable. Every
7 notice of intent shall describe the legislator's or
8 employee's relationship with the relative or household
9 member, the relative or household member's
10 relationship with the entity receiving the contract,
11 action taken and to be taken affecting the relative or
12 household member's business, and the dollar value of
13 the contract.

14 (e) Upon application, the state ethics commission may
15 grant an exception to ~~[an]~~ a legislator, employee, or agency
16 that is unable to comply with this section for good cause,
17 including a demonstrated lack of qualified personnel or
18 applicants.

19 (f) Any legislator or employee who knowingly violates this
20 section shall be subject to the administrative fines set forth
21 in section 84-39. Any favorable action obtained by a relative



1 or household member of ~~[an]~~ a legislator or employee in
2 violation of this section shall be voidable in accordance with
3 sections 84-16 and 84-19.

4 (g) This section shall not affect the applicability of
5 section 84-13 or 84-14.

6 (h) This section shall not prohibit a state agency from
7 appointing, hiring, promoting, retaining, demoting, discharging,
8 or terminating a relative or household member of ~~[an]~~ a
9 legislator or employee employed by the agency.

10 ~~[(i) Notwithstanding sections 84-2 and 84-3, this section~~
11 ~~shall not apply to employees or agencies of the legislative or~~
12 ~~judicial branch of the State.~~

13 ~~{j}~~ (i) For purposes of this section:

14 "Household member" means an individual who resides in the
15 same dwelling unit as the legislator or employee.

16 "Relative" means the legislator's or employee's parent,
17 grandparent, stepparent, child, grandchild, stepchild, foster
18 child, adopted child, sibling, half-sibling, stepsibling,
19 parent's sibling, first cousin, sibling's child, spouse,
20 spouse's parent, child-in-law, or sibling-in-law, or any



H.B. NO. 2110

1 individual who has become a member of the legislator's or
2 employee's immediate family through the Hawaiian hanai custom."

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

5 SECTION 4. This Act shall take effect on June 30, 2027.

6

INTRODUCED BY:

Nedra K. Martin

BY REQUEST

JAN 23 2026



H.B. NO. 2110

Report Title:

Package; Ethics Commission; Nepotism; Legislature; Judiciary

Description:

Subjects legislative and judicial employees to the same ethical standards prohibiting nepotism that are applicable to other state employees.

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

