



# HAWAI'I STATE ETHICS COMMISSION

*Komikina Ho'opono Kulekele o Hawai'i Moku'āina*

Committee: House Committee on Labor  
Bill Number: SB 2245  
Hearing Date/Time: March 17, 2026, 9:30 a.m.  
Re: Testimony in Support of SB 2245

Aloha Chair Sayama, Vice-Chair Lee, and Committee Members:

Thank you for the opportunity to provide testimony in strong support of **SB 2245**, which strengthens public trust in our government by establishing meaningful restrictions on new state employees from taking official action on matters they previously worked on prior to state employment and by extending post-employment lobbying restrictions to employees in the offices of the Governor and Lieutenant Governor.

## **Reasoning and Policy Rationale**

SB 2245 addresses a well-recognized ethics risk that arises at the point of entry into government service: that a newly hired public employee may take official action on matters directly connected to the employee's prior private-sector work. Without reasonable pre-employment restrictions, even well-intentioned public servants may be placed in positions where their impartiality could reasonably be questioned, undermining public confidence in government decision-making.

Pre-employment restrictions are not novel. At the federal level, conflict-of-interest law prohibits newly appointed federal employees from participating in particular matters in which they were previously involved outside of government. Federal regulations implementing 18 U.S.C. § 208 expressly require recusal where an employee's prior employer or client has a financial interest in a matter, and agencies routinely impose screening and disqualification requirements on incoming employees to ensure compliance. See *e.g.*, 5 C.F.R. §§ 2635.502–2635.503, which require employees to refrain from participating in matters involving former employers or clients where a reasonable person would question the employee's impartiality.

Similarly, the federal Office of Government Ethics recognizes that “cooling-off” or screening requirements at the beginning of public service are essential to maintaining the integrity of governmental processes, particularly where an employee previously represented, advised, or worked on the same matters now before the government.

At the municipal level, several major jurisdictions have adopted explicit pre-employment or “switching-sides” restrictions. For example:

- **Chicago** prohibits a city employee from participating in any governmental matter involving a former employer or client for a specified period following entry into city service. See Chicago Municipal Code § 2-156-111(d) (requiring recusal from matters involving a former employer or client).
- **Denver** similarly restricts new city employees from taking official action on matters in which they were personally and substantially involved prior to public employment. See Denver Revised Municipal Code § 2-61.

These provisions reflect a shared policy judgment: government service should not place an individual in a position to immediately influence the same matters they previously handled from the private side. Such restrictions protect against the appearance that government decisions are being shaped by prior allegiances rather than the public interest.

SB2245 adopts this common-sense approach by establishing focused pre-employment restrictions that prevent new state employees from taking official action on matters they previously worked on. The bill does not bar individuals from entering public service, nor does it impose broad or permanent disqualifications. Instead, it provides narrowly tailored safeguards that allow agencies to benefit from private-sector expertise while preserving public trust in the integrity and impartiality of state decision-making.

Mahalo for the opportunity to testify on this bill.

Very truly yours,

/S/ Robert D. Harris

Robert D. Harris

Executive Director and General Counsel



Committee on Labor  
Chair Jackson Sayama, Vice Chair Mike Lee  
Tuesday, March 17, 2026, 9:30 am  
Room 309  
SB2245 – RELATING TO REVOLVING DOOR RESTRICTIONS FOR STATE  
EMPLOYEES

TESTIMONY  
Judith Mills Wong, Legislative Committee, League of Women Voters of Hawaii

Chair Sayama, Vice Chair Lee, and Committee Members:

**The League of Women Voters of Hawaii SUPPORTS SB2245**

It is key that government employees act in the interest of the citizens of the state and that they do not appear to be acting in any other interest. This bill addresses the risk that a newly hired public employee may take official actions that are directly connected with his/her private employment. This bill establishes a cooling off period that prevents public servants from being placed in positions where their impartiality would be challenged.

SB2245 protects against government decisions being shaped by prior allegiances rather than public interest. This is vital to the public's trust in government. For that reason, we support SB2245.

Thank you for the opportunity to submit testimony.