
A BILL FOR AN ACT

RELATING TO MANDATORY ETHICS TRAINING.

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

1 SECTION 1. The legislature finds that requiring all state
2 legislators and employees to be aware of and knowledgeable about
3 the state ethics code is in the best interests of the State.
4 Regular training on the state ethics code will ensure that state
5 legislators and employees are aware of current ethics laws and
6 will increase the public's confidence in state government.

7 Accordingly, the purpose of this Act is to establish live
8 and online ethics training courses to be designed and
9 administered by the state ethics commission and make ethics
10 training mandatory for all state legislators and employees.

11 SECTION 2. Section 84-42, Hawaii Revised Statutes, is
12 amended to read as follows:

13 "~~[+]§84-42[+]~~ **Mandatory ethics training course.** [~~All~~
14 ~~state officers and employees enumerated in section 84-41]~~ (a)
15 Legislators, members of the board of education, trustees of the
16 office of Hawaiian affairs, the governor, the lieutenant
17 governor, executive department heads and deputies, and every



1 other person whose financial disclosure statement is a public
 2 record pursuant to section 84-17(d) shall complete [an] a live
 3 ethics training course administered by the state ethics
 4 commission [as provided in this part. For the purposes of this
 5 part, "ethics training" includes education and training in:
 6 (1) The ethics laws set forth in this chapter; and
 7 (2) The lobbying laws set forth in chapter 97.] within
 8 ninety days of taking office and at least once every
 9 four years thereafter.

10 (b) All other employees shall complete either a live or an
 11 online ethics training course developed pursuant to section 84-
 12 43(c) and administered by the state ethics commission within
 13 ninety days of becoming an employee and at least once every four
 14 years thereafter."

15 SECTION 3. Section 84-43, Hawaii Revised Statutes, is
 16 amended to read as follows:

17 "**§84-43 Ethics training [course.] courses; live and**
 18 **online.** (a) The state ethics commission shall establish,
 19 design, supervise, and conduct live and online ethics training
 20 courses for [~~the officers and employees to whom this part~~]



1 ~~applies.]~~ all persons required to complete training under
2 section 84-42.

3 (b) The live ethics training course may be conducted in
4 person or via videoconference and shall include:

- 5 (1) Explanations and discussions of the ethics laws,
6 administrative rules, and relevant internal policies;
7 (2) Specific technical and legal requirements;
8 (3) The underlying purposes and principles of ethics laws;
9 (4) Examples of practical application of the laws and
10 principles; and
11 (5) A question-and-answer participatory segment regarding
12 common problems and situations.

13 The state ethics commission shall develop the methods and
14 prepare any materials necessary to implement the live ethics
15 training course.

16 (c) The online ethics training course shall include
17 explanations, discussions, and examples of the practical
18 application of ethics laws and principles as the state ethics
19 commission deems appropriate. The state ethics commission shall
20 develop the methods and prepare any materials necessary to
21 implement the online ethics training course, which may include



1 previously recorded ethics training courses originally conducted
2 either in person or via videoconference and any other
3 prerecorded material authorized by the state ethics commission.

4 ~~[(e)]~~ (d) The state ethics commission shall:

- 5 (1) ~~[Administer]~~ Design and administer the live ethics
6 training ~~[course]~~ courses;
- 7 (2) Designate those of its legal staff who are to conduct
8 the live ethics training course; ~~[and]~~
- 9 (3) Notify each ~~[officer]~~ legislator or employee
10 [enumerated in section 84-41], either directly or via
11 the employee's employing agency, that their attendance
12 or participation in [this] an applicable ethics
13 training course is mandatory[-]; provided that a
14 legislator's or employee's non-receipt of notice shall
15 not be a defense to a charge concerning a violation of
16 this chapter; and
- 17 (4) Design and administer the online ethics training
18 course.

19 ~~[(d)]~~ (e) The state ethics commission may repeat the live
20 course as necessary to accommodate all persons who are required
21 to attend.



1 ~~[(e)]~~ (f) Each state agency shall provide to the state
2 ethics commission in a timely manner the names and electronic
3 mail addresses of those persons required to take the applicable
4 course [~~in a timely manner~~] and shall assist the commission by
5 providing adequate meeting facilities, equipment, and technical
6 support as needed for the ethics training [~~course.~~] courses."

7 SECTION 4. Section 84-41, Hawaii Revised Statutes, is
8 repealed.

9 ~~["**§84-41 Applicability of part.** This part applies to~~
10 ~~legislators, members of the board of education, trustees of the~~
11 ~~office of Hawaiian affairs, the governor, the lieutenant~~
12 ~~governor, and executive department heads and deputies. This~~
13 ~~part does not apply to any other officer or employee of the~~
14 ~~State."]~~

15 SECTION 5. Notwithstanding any law to the contrary, all
16 state legislators and employees who are in active service on the
17 effective date of this Act shall successfully complete a live or
18 an online ethics training course, as applicable, within twelve
19 months following the effective date of this Act and at least
20 once every four years thereafter; provided that the requirement
21 to successfully complete an ethics training course within the



1 twelve month period immediately following the effective date of
2 this Act shall not apply to those state legislators or employees
3 who, within the past three years from the effective date of this
4 Act, have successfully completed a live or an online ethics
5 training course, as applicable.

6 SECTION 6. Statutory material to be repealed is bracketed
7 and stricken. New statutory material is underscored.

8 SECTION 7. This Act shall take effect on January 1, 2023.



H.B. NO. 1475
H.D. 1
S.D. 1
C.D. 1

Report Title:

Hawaii State Ethics Commission Package; Ethics Code; Live and Online Ethics Training Courses; Mandatory Training

Description:

Requires state legislators and employees to complete mandatory live or online ethics training courses every four years, subject to certain requirements. Effective 1/1/2023. (CD1)

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