



# HAWAII STATE ETHICS COMMISSION



# ETHICS CHECKLIST

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This flyer lists restrictions contained in the State Ethics Code, Chapter 84, Hawaii Revised Statutes (“HRS”), for state officials, employees, and board and commission members. (Justices and judges are excluded, as they are subject to their own ethics board.) Those subject to the State Ethics Code should review this list, and contact the State Ethics Commission (“Commission”) for advice when needed. Though the list is intended to be comprehensive, those subject to the State Ethics Code should not hesitate to contact the Commission whenever ethics issues arise. Further, our office should be contacted if there are any questions regarding the scope of the following restrictions. Contact us at: telephone number (808) 587-0460, fax number (808) 587-0470, or e-mail address [ethics@hawaiiethics.org](mailto:ethics@hawaiiethics.org). Our web site address is [www.state.hi.us/ethics](http://www.state.hi.us/ethics). Mailing address: P.O. Box 616, Honolulu, Hawaii 96809.

- Gifts:** Do not accept or solicit gifts unless you are sure of the application of the gifts section of the State Ethics Code, HRS § 84-11.
- Gifts Disclosure:** If you receive more than \$200 of legally acceptable gifts from a single source between June 1 of one year and June 1 of the following year, check with our office as to whether you need to file a gifts disclosure form.
- Confidential Information:** Do not disclose, or use confidential information for your, or anyone’s, personal benefit.
- Favoritism; Fair Treatment:** Do not use, or attempt to use, your official position to give yourself or anyone any preferential treatment or any unwarranted advantage.
- Supplemental Compensation:** Do not accept extra pay or anything of value in conjunction with the performance of your official duties, unless provided for by law.
- State Resources:** Do not use state time, equipment (computers, e-mail, etc.), facilities, personnel, the state seal, office supplies or other state resources for private business purposes or political campaigning. The term “business” includes non-profit organizations.

- Financial Transactions With Subordinates:** Do not engage in substantial financial transactions with subordinates, or persons or businesses you inspect or supervise. Check with our office as to the meaning of “substantial,” as the application of the term may be different depending on the circumstances.
- Conflicts of Interests:** Do not take official action if the action affects your financial interests, or a business or undertaking in which you have a financial interest, unless you are sure of the application of the State Ethics Code. The financial interests of a spouse or dependent child are treated the same as your financial interests. Also, do not take action affecting an undertaking in which you, in your private capacity, represent a person or business. (Note: This section does not apply to legislators.)
- Acquiring New Employment or Financial Interests:** Do not accept new employment, or new financial interests without checking with our office, if the business or undertaking you will work for, or have a financial interest in, may be subject to official action by you. (Note: This section does not apply to legislators.)
- Contingent Compensation:** Do not assist or represent a person or business before a state or county agency for contingent compensation. (Note: Courts are not considered state agencies.)
- Representing or Assisting Persons or Businesses:** Do not assist or represent (1) a person or business for compensation before your own department or agency, or (2) on matters you have been officially involved in, or (3) on matters you will be officially involved in.
- State Contracts:** (1) If you contract with the State, or have a significant interest in a company that contracts with the State, make sure the contract is awarded in accordance with HRS § 84-15(a). (2) Check with our office before privately assisting or representing a person or business trying to obtain a state contract, if you have been involved officially with the contract or its subject matter.
- Financial Interests Disclosure Statement:** File this statement at the appropriate times if required by the position you hold in state government.
- Post Employment:** After leaving your state agency or department, (1) do not disclose confidential information or use such information for your, or anyone’s, personal benefit; (2) for one year do not personally represent any person or business for compensation on matters before your former agency or department unless you are sure of the application of the State Ethics Code; and (3) for one year, do not personally represent a person or business for compensation regarding matters you have participated in officially. Note: Parts (2) and (3) apply to those who served the State for more than 180 days. Call our office regarding the definition of the term “personal representation.”