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Disclaimer

This guide is intended for instructional purposes only and is not meant to be a comprehensive
summary of the Hawaii State Ethics Code. If there is a conflict between this Guide and the Hawaii
State Constitution, statutes, or administrative rules, Hawaii law shall apply.
The Financial Disclosure Law

The Financial Disclosure Law, Hawaii Revised Statutes ("HRS") § 84-17, requires state elected officials, members of state boards and commissions, and state employees holding certain positions to file an annual Disclosure of Financial Interests with the Hawaii State Ethics Commission ("Commission").

Financial disclosures help to ensure governmental accountability and transparency by identifying financial interests that may conflict with a state official’s duties and responsibilities to the public.

Who is Required to File?

**Elected officials:** governor, lieutenant governor, state legislators, Office of Hawaiian Affairs trustees, and constitutional convention delegates.

**Agency and department heads:** directors, deputy directors, division chiefs, and executive directors and their deputies of every state agency.

**Legislative Branch:** all permanent employees of the legislature and its service agencies, except for persons employed in secretarial, or similar positions.

**Offices of the Governor and Lt. Governor:** the administrative director and all permanent employees of the Offices of the Governor and the Lieutenant Governor, except for persons employed in secretarial, or similar positions.

**University of Hawaii:** Board of Regents, the president, vice-presidents, assistant vice-presidents, and chancellors of UH and its community colleges. (Other UH filers may fall under one of the other categories.)

**Department of Education:** Board of Education, the superintendent, deputy superintendent, assistant superintendents, complex area superintendents, state librarian, and deputy state librarian.

**State Judiciary:** administrative director and deputy director of the courts

**Office of Hawaiian Affairs:** administrator and assistant administrator

**State boards and commissions:** members whose original terms of office are more than one year and whose duties are not solely advisory.

**Purchasing agents, fiscal officers, and hearings officers**

Who is a Public Filer?

Legislators, certain state officials (highlighted in color above), and members of the following state boards are public filers under HRS § 84-17(d):

- Agricultural Dev. Corp.
- Board of Agriculture
- Board of Land & Natural Resources Comm. on Water Resource Mgmt.
- Hawaii Community Dev. Auth.
- Hawaiian Homes Commission
- Housing Finance & Dev. Corp.
- Stadium Authority
- Ethics Commission
- Land Use Commission
- Legacy Land Conservation Comm.
- Natural Area Reserves System Comm.
- Natural Energy Lab. of Hawaii Auth.
- Hawaii Public Housing Authority
- Hawaii Public Utilities Commission

If you are running for state elective office, please see the Candidate Disclosure Guide for more information on how to file a candidate financial disclosure.

This is not a complete list of filers. To verify your filing status, please contact the Commission at:

1001 Bishop St., Ste. 970
Honolulu, HI 96813
(808) 587-0460
ethics@hawaiiethics.org
Filing Deadlines

<table>
<thead>
<tr>
<th>Role</th>
<th>Deadline</th>
</tr>
</thead>
<tbody>
<tr>
<td>State Legislators</td>
<td>January 31 (each year)</td>
</tr>
<tr>
<td>Current Employee &amp; Board filers</td>
<td>May 31 (each year)</td>
</tr>
<tr>
<td>New filers</td>
<td>Within 30 days of election or appointment to a state position that is required to file</td>
</tr>
<tr>
<td>Exit filers</td>
<td>Within 30 days of leaving your state position (if your last disclosure was filed more than 180 days prior)</td>
</tr>
</tbody>
</table>

Extensions of Time to File

Filers may submit a written request for a 15-day extension of time to file. Extension requests must be submitted prior to the filing deadline.

Financial Interests to be Reported

Filers are required to report certain types of financial interests, such as income; business ownership; stocks, bonds, and mutual funds; officer or director positions in for-profit or non-profit business; real property; loans; names of clients assisted or represented before state agencies; and creditor interests in an insolvent business.

In addition, state legislators, state board members, and state employee filers are required to disclose their own financial interests, as well as those held by a spouse or dependent child.

Public Records

Financial disclosures filed by state legislators and certain state officials are designated as public records. All other financial disclosures that are filed with the Commission are confidential as a matter of law. Public financial disclosures are available for inspection at the Commission’s office or via the Commission’s website at http://ethics.hawaii.gov.

Penalties

Failure to file a financial disclosure as required by HRS § 84-17 constitutes a violation of state law. State legislators, state board members, and state employee filers who fail to file a disclosure by the statutory deadline shall be assessed a $75 late penalty.

In addition, the Commission may publish a list of delinquent filers, and may assess additional administrative fines as authorized by law.
E-Filing Procedures: How to File a Financial Disclosure

Step 1: Access the Commission’s E-Filing System

Open your web browser. Go to https://hawaiietics.force.com/disclosures/s/ and click LOGIN (upper right corner of page).

To file disclosures using the E-Filing system, you must have an account. If you already have an existing e-filing account, skip to Step 2B.

Step 2A: Create an Account (for New Users)

a. Click Sign Up to create a new account.

b. Enter your first, middle, and last name. Enter your email address twice (the second time is to confirm your email). Then click Sign Up.

c. Check Your Email. A separate email will be sent to your email address with instructions on how to finish creating your account.

Browser Requirements:
We recommend that you use Google Chrome or Mozilla Firefox. Do not use Internet Explorer as it is not compatible with the system.

e-Tips

Select an email address that you check on a regular basis.

Your email address will serve as the primary address for all email notices and reminders sent by the Commission.

Remember to adjust your junk mail/spam filter to receive email notices.

If you change your email address, please contact the Commission to update your account.
d. After you receive the email, click on the link within the email. A new window on your web browser will open asking you to set your password. Enter your password, re-enter your password to confirm, and then click **Change Password**.

After you have successfully created an account, you should see the homepage for the E-Filing system.

**Step 2B: Log Into Your Account (if you already have one)**

If you already have an account, enter your email and password, and click **Log In**.

After you have successfully logged into your account, you should see the homepage for the E-Filing system.
Step 3: Create a New Financial Disclosure

After you log in, click on MY FINANCIAL DISCLOSURES on the menu bar. This will direct you to the Financial Disclosures LIST view.

Click New Financial Disclosure to create a new disclosure.

This will take you to the Financial Disclosure Form Wizard (which will walk you through each of the sections of the form).

a. Select the Filing Year (the current calendar year is the default). The Filing Year is the year in which you file the disclosure. For example, select 2021 if you are filing in 2021.

b. Enter your address and phone number.

   NOTE: If you have filed once before using this e-filing system, your contact information will automatically populate on your form. If your contact information has changed, please enter your current address and phone number. In the State field, enter “HI” for Hawaii.

c. Click Next Section.

CONTINUING FILERS: If you filed last year using this e-filing system and have no changes to report, check the No Change box for each section; otherwise click Add New Item or Remove to update your form. Click Next Section to save your data and go on to the next section.
Step 4: Complete Your Disclosure

a. State Employment Position

If you are a state legislator or state employee, click Add New Item to add your state position. (If you are filing as a state board member, check the Not Applicable box, then click Next Section).

Select your state department, state division or agency, and state position using the search field.

How to Use Search Field: Type the name of your department, division, or position in the search field (partial terms are ok). A list of results will appear in the drop-down list. Select one of the options.

Click Add New Item if you have another State position. To delete an item, click Remove. When you are done, click Next Section.

Help Bubbles: Certain sections include instructions on what type of information to report. To view these help guides, move your cursor over the small gray circles with a lower-case letter i.

e-Tips

The list of state positions includes job titles that are most commonly used by filers. Please select the one that is closest to your position (it does not have to match your exact job title).

If your position is not listed, type “Other” in the search field and select “Other” from the drop-down list. Then enter your position title in the space provided.

The Remove button is only available if you are using the Form Wizard.

To edit your disclosure in the Edit mode, see Editing a Draft Disclosure.
Step 4: Complete Your Disclosure (continued)

b. State Board or Commission

If you are a member of a state board or commission, click Add New Item to add your board position. Otherwise, check the Not Applicable box, and click Next Section.

Select your state board or commission using the search field.

How to Use Search Field: Type the name of your board or commission in the search field (partial terms are ok). A list of results will appear in the drop-down list. Select one of the options.

Ex-Officio Board Members: If you serve on multiple state boards by virtue of your state employment position, click Add New Item to add other board positions.

To delete an item, click Remove. When you are done, click Next Section.

Help Bubbles: Certain sections include instructions on what type of information to report. To view these help guides, move your cursor over the small gray circles with a lower-case letter i.

New Board?

If your board is not listed, type “Other” in the search field and select “Other” from the drop-down list. Then enter the name of your board in the space provided.

Tips

The Remove button is only available if you are using the Form Wizard.

To edit your disclosure in the Edit mode, see Editing a Draft Disclosure.
c. Spouse/Partner and Dependent Children

If you have a spouse or civil union partner, or a dependent child, click Add New Item and enter your information as directed. Otherwise, check the Not Applicable box, and click Next Section.

To enter additional information, click Add New Item. When you are done, click Next Section.

### SPOUSE/DEPENDENT CHILDREN

- Not Applicable

No existing records were found for this related list.

[Add New Item]

### SPOUSE/DEPENDENT CHILDREN

- Last Name
- First Name
- Middle Name
- *Relationship
  -- Please select --

NOTE: For each of the following sections, disclose all financial interests held by you, your spouse, and your dependent child.

d. Income

To report a source of income, click Add New Item and enter your information as directed. **NOTE:** If you are a state employee, be sure to include you state salary here.

If you have nothing to report, check the No Items to Report box, then click Next Section.

### INCOME

- Name of Employer or Source of Income
- *Who Holds Interest?*
  -- Please select --
- *Type of Service*
  -- Please select --
- *Amount Earned or Received*
  -- Please select --

To report additional items, click Add New Item. When you are done, click Next Section.
Step 4: Complete Your Disclosure (continued)

e. Creditors

To report loans held during the disclosure period, click Add New Item and enter your information as directed. If you have nothing to report, check the No Items to Report box, then click Next Section.

To report additional items, click Add New Item. When you are done, click Next Section.

f. Properties

If you owned or sold any real property interests during the disclosure period, click Add New Item and enter your information as directed. If you have nothing to report, check the No Items to Report box, then click Next Section.

Indicate whether the property was purchased or sold during the disclosure period, and then enter the additional information as directed (e.g., date purchased/acquired, name of seller, etc.).

To report additional items, click Add New Item. When you are done, click Next Section.
g. Business Interests

To report any business interests that were owned or sold during the disclosure period, click Add New Item and enter your information as directed. If you have nothing to report, check the No Items to Report box, then click Next Section.

To report valuation, you may select Shares or Percentage OR the Value option. If you select Shares/Percentages, enter the amount of shares owned or the percentage of your ownership interest in the space provided. For the Value option, select the value range in the drop-down menu.

Indicate whether the business interest was sold during the disclosure period and enter the additional information as directed.

To report additional items, click Add New Item. When you are done, click Next Section.

h. Officers & Directors

If you are an officer, director, or a trustee of a private business or non-profit organization, click Add New Item and enter your information as directed. If you have nothing to report, check the No Items to Report box, then click Next Section.

To report additional items, click Add New Item. When you are done, click Next Section.
Step 4: Complete Your Disclosure (continued)

i. Clients

To report clients assisted or represented before a state agency for a fee or other compensation during the disclosure period, click Add New Item and enter the information as directed. If you have nothing to report, check the No Items to Report box, then click Next Section.

![Clients Section]

To report additional items, click Add New Item. When you are done, click Next Section.

j. Creditor of Insolvent Businesses

To report a creditor interest in an insolvent business, click Add New Item and enter your information as directed. If you have nothing to report, check the No Items to Report box, then click Next Section.

![Creditor of Insolvent Businesses Section]

To report additional items, click Add New Item. When you are done, click Next Section.

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**e-Tips**

**Items to be Reported?**
Clients assisted or represented before a state agency for a fee or other compensation.

You do not need to include representations that solely involve ministerial matters; matters in which you were acting in your official state capacity; and legal matters before the courts.

**Items to be Reported?**
Any creditor interest in an insolvent business, where the value of the creditor interest is $5,000 or more.

An insolvent business is a company that has filed for bankruptcy protection under the federal bankruptcy code.
Step 5A: File Your Disclosure

Ready to file?

← Previous Section  File Later  Review Form

Click Review Form.

The E-Filing system will exit the Form Wizard and take you to the Financial Disclosure Main Page (or the Edit mode).

Review and make final edits. See Editing a Draft Disclosure on how to add, edit, and delete items.

To file your form, click FILE DISCLOSURE.

![File Disclosure Form]

Type your name in the Electronic Signature field and click SAVE to file your form.

To check if your form was properly submitted:

Click on MY FINANCIAL DISCLOSURES to return to the LIST view. Your disclosure will be listed with the date and time when it was filed.

![My Financial Disclosures List]

After you file, you will receive an automatic email confirmation. If you don’t receive one within a few minutes, contact the Commission at 587-0460 or ethics@hawaiiethics.org.
Step 5B: Save Disclosure and File Later

Not Ready to File?

Click **File Later** to save your draft disclosure and file it at a later time.

On the **Financial Disclosures LIST** view, you should see a list of all your disclosures, including your draft reports.

Please remember to complete your disclosure and file it by the applicable deadline.

How to Log Out

To log out of the E-Filing system, click on your username (in the upper right corner of the menu bar) and select **Logout**.

**e-Tips**

Once you click **File Later**, you will exit the **Form Wizard**. You will not be able to use the wizard feature when you log back onto the system to complete your draft disclosure. You must complete your form in the **Edit** mode. (See **Editing a Draft Disclosure**).
E-Filing Procedures: Editing a Draft Disclosure

To continue working on your draft disclosure:

Log-in and click on **MY FINANCIAL DISCLOSURES**.

On the **Financial Disclosures List**, click on the **FD#** to open your draft disclosure.

This will open a window called the **Financial Disclosure Main Page** (or the **Edit mode**).

To add an item:

Scroll down to the specific section and click **New** to add a new item. Enter your information as directed. To report additional items, click **Save & New**; otherwise click **Save**.

To edit an item:

Scroll down to the specific section. Click on the arrow button for the particular item, and select **Edit**. Enter your changes and click **Save**.

To delete an item:

Scroll down to the specific section. Click on the arrow button for the particular item, and select **Delete**. The message window will ask you “Are you sure you want to delete this Item?” If yes, click **Delete**.
E-Filing Procedures: Editing a Draft Disclosure (con’t)

State Employment and State Board Sections:

How to Use Search Field in the Edit mode: Type the name of your department, division, or position in the search field (partial terms are ok). A partial list of results will appear in the drop-down list (click on the magnifying glass icon below the search field to see the full list of results). Select one of the options.

Tips

In the Edit mode, some of the command buttons and functions are different from those in the Form Wizard.
E-Filing Procedures: Editing a Draft Disclosure (con’t)

Properties Section:
When you are in the **Edit** mode, click **New** to add real property interests that you owned or sold during the disclosure period. A new window will appear; select one of the options indicated and then enter your information as directed.

- If you own a personal residence, select **Property Owned, Personal Residence**.
- If you own investment or commercial property (i.e., it is not your primary residence/home), select **Property Owned**.
- If you sold your personal residence during the disclosure period, select **Property Sold, Personal Residence**.
- If you sold your investment or commercial property during the disclosure period, select **Property Sold**.

Business Interests Section:
When you are in the **Edit** mode, click **New** to report any business interests that were owned or sold during the disclosure period. A new window will appear; select one of the options indicated and then enter your information as directed.

To File Your Disclosure:
Click **FILE DISCLOSURE** button (top right), then type your name in the **Electronic Signature** box and click **SAVE**.

Click on **MY FINANCIAL DISCLOSURES** to return to the **LIST** view. Your disclosure will be displayed with the date and time when it was filed. You will also receive an email confirmation.
E-Filing Procedures: Amending a Filed Disclosure

To amend your disclosure after it is filed:

Log-in and click **MY FINANCIAL DISCLOSURES**, then click on the FD# to open your disclosure.

Scroll down to the specific section and make your changes. To add an item, click **New**. To edit or delete an item, click on the arrow button for a particular item, and select **Edit** or **Delete**.

To file your amended form, click **FILE AMENDMENT** and **SAVE**.

To check if your form was properly submitted:

Click on **MY FINANCIAL DISCLOSURES** to return to the LIST view. The date and time when your amended disclosure was filed will be displayed under the **Date Amended** column.

After you file, you will receive an automatic email confirmation. If you don’t receive one within a few minutes, contact the Commission at 587-0460 or ethics@hawaiiethics.org.
Forgot Your Password?

If you forgot your password, click on Forgot Your Password?

Enter your email address to request instructions on re-setting your password, and then click on Send Password Reset Email.

A separate email will be sent to your email address with instructions on how to change your password. After you receive the email, click on the link in the email to change your password.

Update Your Profile & Account Settings

From the homepage of the E-Filing system, click on your username (in the upper right corner) and select My Profile to update your profile information.

To change your password, select My Settings.
Click on the HOME tab to return to the homepage.

e-Tips

If you have any problems logging in, please contact the Commission at:
(808) 587-0460
or
ethics@hawaiithics.org

If you reside out-of-state, select My Settings to change your time zone.

Note: Your time zone settings only affect what is shown on your computer screen.
Your time zone settings do not affect the actual filing date and time that is recorded by the Commission’s E-Filing system (which is set to Hawaii Standard Time).
FAQs

Filing Status

Q: I am a new state employee. Am I required to file a financial disclosure?

A: It depends on your state position. Only certain state officials are required to file (Who is Required to File). If you are unsure whether you are required to file, please contact the Commission to check your filing status.

Ex-Officio State Board Members

Q: I serve as an ex-officio member of a state board due to my state employee position. Do I have to file separately for each position?

A: If you already file a financial disclosure based on your state employee position, you just need to add your board position to your disclosure. You do not have to file a separate disclosure for your board position.

Filing Confirmation

Q: I tried submitting my disclosure on-line, but I did not receive an email confirmation. What should I do?

A: Check your junk mail folder and adjust your junk email/spam filter. If you do not receive a confirmation, please contact the Commission immediately to make sure that your disclosure was filed.

Exit Disclosure

Q: I am resigning from my legislative position, effective August 1st. Do I need to file an exit disclosure?

A: Yes. If your term of office has ended or you are resigning from your state position, you must file a financial disclosure within 30 days of leaving your state position if your most recent financial disclosure was filed more than 180 days prior to your last day of state service. Please file an amended disclosure to update your financial interests. Your amended disclosure will then serve as your exit filing.

Transferring to a New State Position

Q: I filed my financial disclosure earlier this year. Do I have to file a new disclosure if I transfer to another state filing position next month?

A: If you are transferring from a confidential to a public filer position, please file an amended disclosure to update your contact information, state position, and report any changes with respect to your financial interests.

If you are moving from one public filer position to another, or to a confidential filer position, you do not need to file another disclosure until next year. But you should update your profile and account information to make sure your contact information is current.
FAQs

Update Your Email Address

Q: I changed my email address since the last time I filed a disclosure. What do I need to do?
A: The email address that you originally used to create your account serves as your log-in and contact information for all email notifications and reminders sent by the Commission. If you change your email address, please contact the Commission to update your account.

Viewing and Printing Your Disclosure

Q: Can I print a copy of my financial disclosure?
A: Yes. Click on the FD# to open the form and click PRINTABLE VIEW. Then click Print This Page.

Candidate Disclosures

Q: I am running for state elective office. I already filed a regular financial disclosure earlier this year based on my state position. Do I need to file a separate Candidate Disclosure?
A: Yes. During an election year, all candidates for state elective office are required to file a Candidate Disclosure, even if the person has already filed a regular financial disclosure form based on his or her position as a state legislator, state employee, or state board member. State candidates are only required to disclose their own financial interests (and not their spouse’s or dependent child’s interests).

Amending a Disclosure

Q: I forgot to report my spouse’s financial interests on my disclosure. What should I do?
A: If you omitted items on your disclosure or need to make corrections, file an amended disclosure as soon as possible.

Q: I filed my annual financial disclosure in May. If I sell or acquire property later this year, do I need to amend my disclosure?
A: No. You are not required to amend your financial disclosure to report changes that occur after you file. As long as you have accurately reported your financial interests as of the filing date, you do not have to amend your disclosure. Subsequent changes with respect to your income, assets, and other financial interests should be reported as part of your annual disclosure next year.