



Hawaii State Ethics Commission



Gift Disclosures

Electronic Filing System
User Guide

January 2021

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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 Gift Disclosure Law

The Gift Disclosure Law, Hawaii Revised Statutes (“HRS”) § 84-11.5, requires state legislators, state employees, and members of state boards and commissions to report certain types of gifts. If you are a state legislator, state employee, or member of a state board or commission, you must file a gift disclosure if all of the following circumstances apply:

1. During the disclosure period, you (or your spouse or dependent child) receive either directly or indirectly: (a) a gift that is valued at more than \$200, or (b) two or more gifts from the same source, where the combined value of the items is more than \$200;
2. The source of the gift(s) has interests that may be affected by **official action** that you take in your state capacity;
and
3. The gift is not exempted by law from disclosure.



Official Action means a decision, recommendation, approval, disapproval, or other action, including inaction, which involves discretionary authority.

Gift Reporting Exemptions

The following types of gifts are exempt under HRS § 84-11.5 and do **not** need to be reported on your gift disclosure:

1. Gifts received by will or intestate succession;
2. Gifts received by way of distribution of any inter vivos or testamentary trust established by a spouse or ancestor;
3. Gifts from a spouse, fiancé, fiancée, any **relative within four degrees of consanguinity**, or the spouse, fiancé, or fiancée of such a relative. However, if the relative-donor is acting as an agent or intermediary for anyone who is not covered by this paragraph, then the gift must be reported;
4. Political campaign contributions that comply with state law;
5. Anything available to or distributed to the public generally without regard to the official status of the recipient;
6. A gift that, within thirty (30) days after receipt, is: (a) returned to the donor or, (b) delivered to a public body, or a bona fide educational or charitable organization, provided that the donation is not claimed as a charitable contribution for tax purposes; and
7. Mutual gifts of approximate equal value that are exchanged on holidays, birthdays, or special occasions.



Relatives within four degrees of consanguinity include your parents, grandparents, great grandparents, children, grandchildren, great-grandchildren, brothers, sisters, uncles, aunts, great uncles, great aunts, nephews, nieces, grand-nephews, grand-nieces, and first cousins.

Who is Required to File?

State legislators, state employees, and members of state boards and commissions.

When to File?

Gift disclosures are due on or before **June 30** of each year.

Gift Reporting Period

The gift disclosure covers gifts received between **June 1** of the preceding calendar year and **May 31** of the filing year.

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.

Public Records

All gift disclosures filed with the Commission are public records and are available for public inspection at the Commission's office or via the Commission's website at <http://ethics.hawaii.gov>.

Penalties

Failure to file a gift disclosure as required by HRS § 84-11.5 constitutes a violation of state law. Under the State Ethics Code, the Commission may impose administrative fines for violations of the gift disclosure law.

Applicability of the Gifts Law, HRS § 84-11

The gifts reporting requirements should not be confused with the gifts law, HRS § 84-11. The gifts law prohibits state legislators, employees, and board or commission members from soliciting **any** gift, or accepting any gift if it can be reasonably inferred, based on the circumstances, that the gift is intended to influence or reward official action. The Commission looks at several factors to determine whether you can accept the gift:

- Relationship:** Who is the donor and what is the relationship between you and the donor?
- Value:** How much is the gift worth?
- State Purpose:** How will the State benefit if you accept the gift?

In some cases, the gifts law may prohibit you from accepting something that is relatively low in value (particularly if your state position involves law enforcement, regulatory, or procurement-related duties).

Thus, the first question you should ask yourself is: **Can I accept this gift?**

For more information, see **Quick Guide on Gifts** or contact us.



For further guidance regarding the gifts law, please contact us at:

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

E-Filing Procedures: How to File a Gift Disclosure

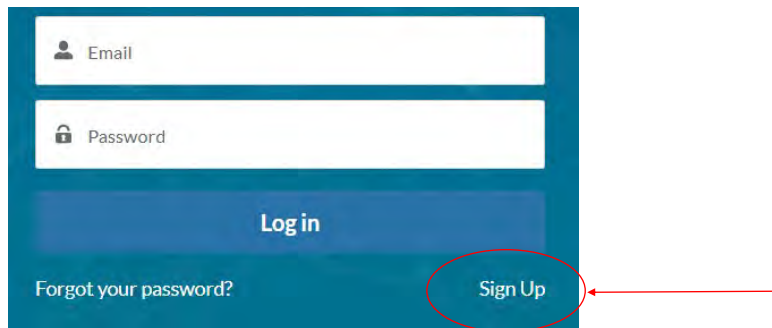
Step 1: Access the Commission's E-Filing System

To access the Commission's E-Filing system, go to <https://hawaiiethics.force.com/disclosures/s/> and click **LOGIN**.

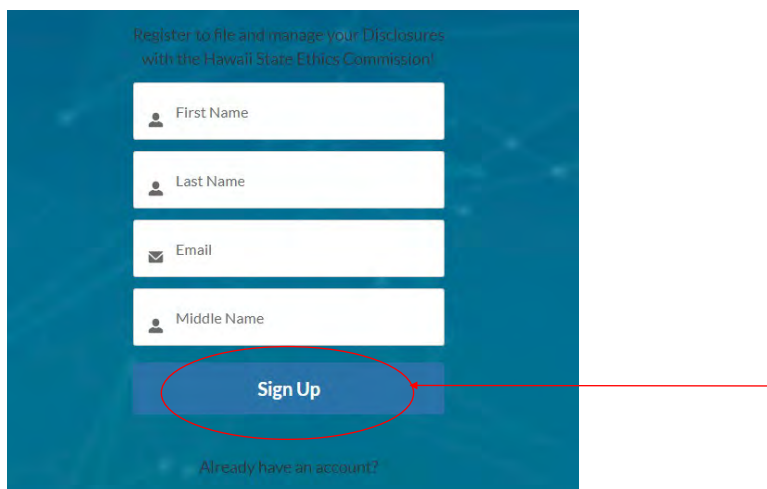
In order to file disclosures electronically through the E-Filing system, you must have an account.

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

- a. Click **Sign Up** to create an account.
If you already have an account, skip to **Step 2B**.

A screenshot of the login page. It features two input fields: 'Email' with a person icon and 'Password' with a lock icon. Below these is a blue 'Log in' button. At the bottom left is a link 'Forgot your password?'. At the bottom right is a 'Sign Up' button, which is circled in red with a red arrow pointing to it from the right.

- b. Enter your first, middle, and last name, your email address, and click **Sign Up**.

A screenshot of the registration page. It has a header: 'Register to file and manage your Disclosures with the Hawaii State Ethics Commission!'. Below are four input fields: 'First Name', 'Last Name', 'Email' (with an envelope icon), and 'Middle Name'. At the bottom is a blue 'Sign Up' button, circled in red with a red arrow pointing to it from the right. Below the button is a link 'Already have an account?'.

- c. A separate email will be sent to your email address with further instructions on how to finish creating your account.

e-Tips

You can also access the E-filing system from the Commission's website at <http://ethics.hawaii.gov>

Browser Requirements:

We recommend that you use **Google Chrome**, **Mozilla Firefox**, or **Safari**. If you use Internet Explorer, you may experience some delays on certain functions (like drop-down menus).

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 and click return. Re-enter your password to confirm, and 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 you 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.

e-Tips

Your password is case sensitive. It must contain a minimum of 8 characters, and must include at least one letter and one number.

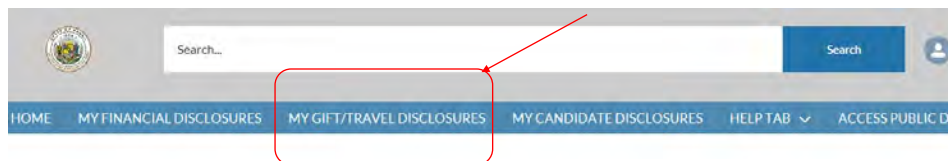
e-Tips

Use the same email address that you used to create your account.

If you change your email address, please contact the Commission to update your account.

Step 3: Create a New Gift/Travel Disclosure

After you have logged in, click on **MY GIFT/TRAVEL DISCLOSURES** on the menu bar.



This will direct you to the **Gift/Travel Disclosures LIST** view, which displays a list of your filed disclosures, as well as any draft disclosures that have not yet been submitted and filed with the Commission.

Click **New** to create a new disclosure.



This will open a new window called the **Gift/Travel Disclosure Main Page**.

- Select the **Filing Year** (the current reporting year is the default)
For example, select 2021 as the **Filing Year** if you are reporting gifts received between June 1, 2020 and May 31, 2021.
- Select **Yes** or **No** to indicate if you have any gifts to report.
- Enter your **electronic signature** and click **Save**.

NOTE: do not click **Save & New** since this will create another blank form. If you click **Save & New** by mistake, click **Cancel**.

This will bring you back to the **Gift/Travel Disclosure Main Page**.

e-Tips

No Gifts to Report?

If you did not receive any gifts during the reporting period, you are not required to file a gift disclosure. But, you can file a “no gifts” report if you so choose.

e-Tips

Items with a **red asterisk *** must be completed.

Step 4: Complete Your Disclosure

a. State Employment Position

If you are a state legislator or state employee, scroll down to **State Employment Positions**, and click **New** to add your state position. (If you are a state board or commission member, skip to the 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 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.

When you are done, click **Save**. This will bring you back to the **Gift Disclosure Main Page**. Your position should now be listed in the **State Employment Position** section.

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.

e-Tips

Navigational Tips

The **Main Page** view will display a maximum of 6 items per section.

Select **View All** to see all items entered in a section.

To go back to a previous page, use the **Back Arrow** button on your browser.

Step 4: Complete Your Disclosure (continued)**b. State Board or Commission**

If you are a member of a state board or commission, scroll down to **State Board or Commission Positions**, and click **New** to add your board position.

The screenshot shows two sections: 'State Employment Positions (0)' and 'State Board or Commission Positions (0)'. A red circle highlights the 'New' button next to the 'State Board or Commission Positions' 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 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.

The screenshot shows the 'New State Board or Commission Position' form. The 'Select Board/Commission' section has a search field with 'Health' entered. A dropdown list shows search results, with 'Statewide Health Coordinating Council' circled in red. Red arrows point to the search field and the dropdown list. Text annotations say: 'Click here to see full list of results.' and 'If your board is listed, click on the icon to select option'.

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

If you have no other positions to add, click **Save**.

This will bring you back to the **Gift Disclosure Main Page**. Your position should now be listed in the **State Board or Commission Position** section.

The screenshot shows the 'State Board or Commission Positions' section with one entry: 'Statewide Health Coordinating Council'. The 'New' button is visible in the top right corner.

e-Tips**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.

e-Tips

If your state board or commission is not listed, select "Other" and enter the name of your board or commission in the field below.

* Board/Commission
Search Disclosure Board Commissions...

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.

Step 4: Complete Your Disclosure (continued)**c. Enter your gift items**

Click **New** and enter your information as directed.

The screenshot shows the 'Gift/Travel Items' section of the disclosure form. At the top, there is a header 'Gift/Travel Items (0)' with a 'New' button circled in red. A red arrow points from this button to the 'New Gift/Travel Item' form below. The form contains several fields: 'What type of item did you receive?' (a dropdown menu), 'Estimated Value (\$)' (a text field), 'Name of Donor' (a text field), 'Date Received' (a date picker), 'Notes/Comments' (a text area), and a 'Save' button. There are also checkboxes for 'Did you receive ethics guidance?' and 'If you have additional gift items, click "Save & New" otherwise click "Save"'. At the bottom, there are 'Cancel', 'Save & New', and 'Save' buttons.

For each item, please enter the following information:

- type of gift
- a brief description of the item
- an estimated value of the gift
- the name of the person, business entity or organization who donated the item (or on whose behalf the item was given), and
- the date the item was received

Notes/Comments: For travel-related gifts, please enter the purpose of the trip, the destination, and the dates of travel in this field. For other types of gifts, you can use the **Notes/Comments** field to enter other information regarding the gift item (optional).

To report additional gift items, click **Save & New**; otherwise, click **Save**.

e-Tips

Items with a **red asterisk *** must be completed.

e-Tips

The screenshot shows the 'Board/Commission' dropdown menu. A help bubble is visible, stating: 'If your state board or commission is not listed, select "Other" and enter the name of your board or commission in the field below.' Below the dropdown is a search bar labeled 'Search Disclosure Board Commissions...'.

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.

Step 5A: File Your Disclosure**Ready to file?**

Review your disclosure one more time.

When you are ready to file, click **SUBMIT FOR APPROVAL**.

Gift/Travel Disclosure
GD-2017-000072

Submit for Approval

Gift/Travel Disclosure Main Page

This will open a new window. Click **SUBMIT** to file your disclosure.

Submit for Approval

Comments

Cancel Submit

To check if your form was properly submitted:

Click on **MY GIFT/TRAVEL DISCLOSURES** to return to the **LIST** view. The form will be listed with the date and time when it was filed.

GIFT/TRAVEL D...	FILING YE...	TOTAL GIFT/TRAVEL ITEMIS...	CREATE...	DATE FILED	DATE AMENDED
1 GD-2018-000012	2018	\$250.00	2/20/2018 1...	2/20/2018 1:45 PM	

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.

e-Tips

After you click **SUBMIT FOR APPROVAL**, do not enter filing comments or notes on the **Comments** screen, as the information will not be included on your disclosure.

e-Tips**Check Your Junk Mail**

Check your junk email folder if you don't see the email confirmation in your regular inbox.

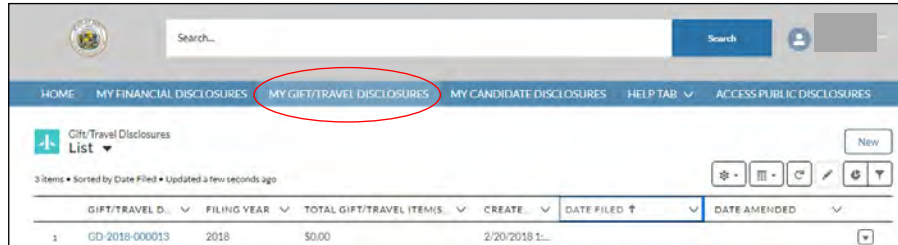
If your disclosure was properly submitted, the filing date and time should be displayed under the **Date Filed** column on the **LIST** view.

Step 5B: Save Disclosure and File Later

Not Ready to file?

You can save your disclosure and file it later. Each time you enter information and click **Save**, your information will be saved under your account.

Click on **MY GIFT/TRAVEL DISCLOSURES** to return to the **Gift/Travel Disclosures LIST** view. You should see a list of all your disclosures, including your draft reports.



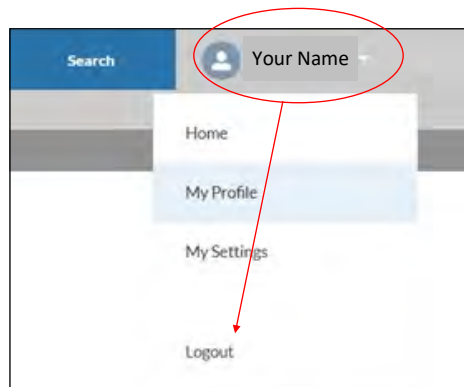
Please remember to complete your disclosure and file it by June 30.

e-Tips

You can use your draft disclosure as a **Gift and Travel Log** to record gifts received during the year.

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**.

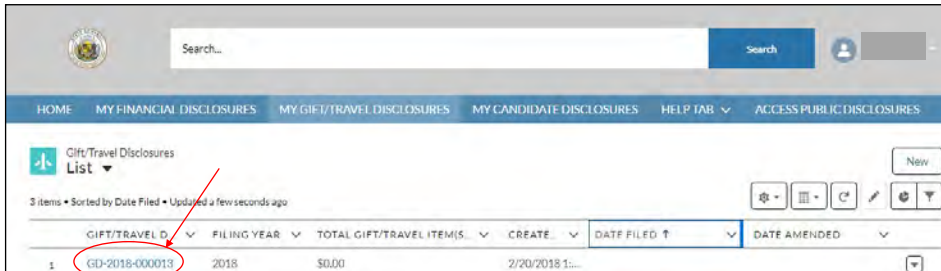


E-Filing Procedures: Editing a Draft Disclosure

To continue working on your draft disclosure:

Log-in and click on **MY GIFT/TRAVEL DISCLOSURES**.

On the **Gift/Travel Disclosures LIST**, click on the **GD#** to open your draft disclosure.



To add an item:

On the **Gift/Travel Disclosure Main Page**, scroll down to the **Gift/Travel Items** section and click **New** to add a new item.

To edit an item:

On the **Gift/Travel Disclosure Main Page**, scroll down to the **Gift/Travel Items** section. Click on the arrow button for the particular item, and select **Edit**. Enter your changes and click **Save**.



To delete an item:

On the **Gift/Travel Disclosure Main Page**, scroll down to the **Gift/Travel Items** section. Click on the arrow button for the particular item, and select **Delete**.

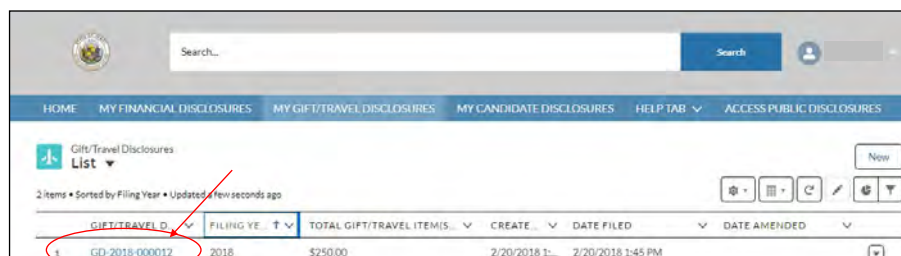


The message window will ask you “Are you sure you want to delete this Gift Item?” If yes, click **Delete**.

E-Filing Procedures: Amending a Filed Disclosure

To amend your disclosure after it is filed:

Log-in and click on **MY GIFT/TRAVEL DISCLOSURES**. On the **Gift/Travel Disclosures LIST**, click on the **GD#** to open your disclosure.



Scroll down to the **Gift/Travel Items** 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**.

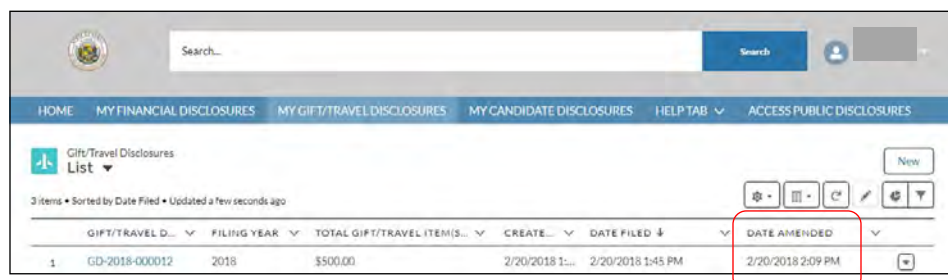


When you are ready to file your amended disclosure, click **SUBMIT FOR APPROVAL**, and click **SUBMIT**.

NOTE: Your changes will not be filed with the Commission unless you click SUBMIT FOR APPROVAL.

To check if your form was properly submitted:

Click on **MY GIFT/TRAVEL DISCLOSURES** on the menu bar to return to the **Gift/Travel Disclosures 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.

e-Tips

After you click **SUBMIT FOR APPROVAL**, do not enter filing comments or notes on the **Comments** screen, as the information will not be included on your disclosure.

e-Tips

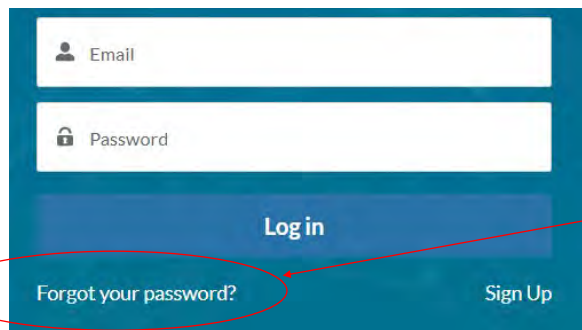
Check Your Junk Mail

Check your junk email folder if you don't see the email confirmation in your regular inbox.

If your disclosure was properly submitted, the filing date and time should be displayed under the **Date Amended** column.

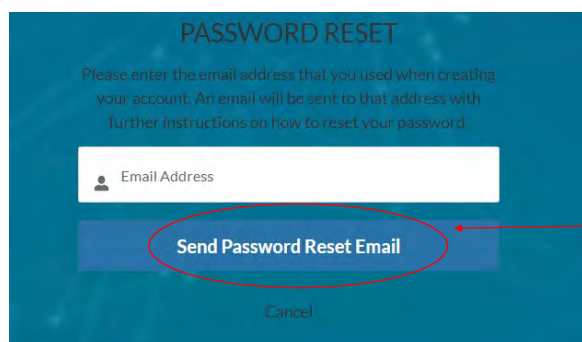
Forgot Your Password?

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



The screenshot shows a login form with fields for 'Email' and 'Password', a 'Log in' button, and a 'Sign Up' button. The link 'Forgot your password?' is circled in red, with a red arrow pointing to it from the right.

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

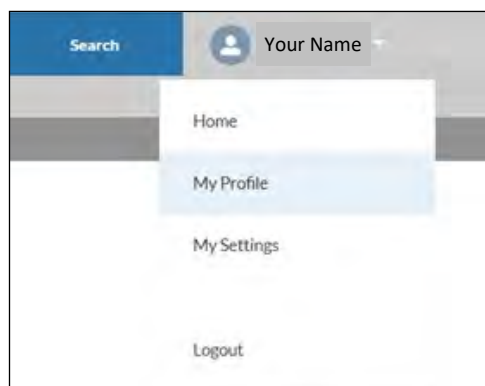


The screenshot shows the 'PASSWORD RESET' page. It has a heading 'PASSWORD RESET' and a paragraph: 'Please enter the email address that you used when creating your account. An email will be sent to that address with further instructions on how to reset your password.' Below this is an 'Email Address' input field and a 'Send Password Reset Email' button, which is circled in red with a red arrow pointing to it from the right. There is also a 'Cancel' link at the bottom.

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.



The screenshot shows the top right of the E-Filing system interface. It includes a 'Search' bar, a user profile icon with the text 'Your Name', and a dropdown menu. The dropdown menu contains the following options: 'Home', 'My Profile' (which is highlighted with a blue background), 'My Settings', and 'Logout'.

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@hawaiiethics.org

e-Tips

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

Gifts of travel

- Q:** A private foundation offers to pay for my travel costs to attend an out-of-state conference. Do I need to report such travel payments?
- A:** If a non-state entity offers to pay for your trip, you should first contact the Commission for advice as to whether the payment is considered a gift from a prohibited source. If the travel payment is an acceptable gift, you must report it on your gift disclosure if the total amount paid on your behalf exceeds the \$200 reporting threshold. Gifts of travel generally must be reported even if the travel serves a state purpose. Check with the Commission for further guidance regarding travel-related gifts.

Donations to a state agency

- Q:** A private company donates an item to my state agency. The item is used for official state purposes and not for the personal benefit of an individual employee. Is the item subject to the gift reporting law?
- A:** No, the donation in this scenario is considered a gift to the State and is not a reportable gift.

Multiple gifts from the same person

- Q:** Over the course of the year, I received a total of five (5) gifts from the same person. Each gift is worth \$60. Do I need to report these gifts?
- A:** You should first check with the Commission to make sure these gifts are permissible under the gifts law. Assuming these gifts are not from a prohibited source, you must report all five (5) items since the combined value exceeds \$200.

Gifts from family members

- Q:** I received a \$300 wedding gift from my first cousin. Do I need to report the gift?
- A:** No. First cousins are within four degrees of consanguinity. This gift falls under an exception to the Gifts Disclosure Law. (See sidebar on page 1).

Campaign contributions

- Q:** A state legislator received a \$500 campaign contribution and reports this as required by the campaign spending laws. Does it also have to be disclosed as a gift?
- A:** No. Campaign contributions that comply with state law are exempt from the Gifts Disclosure Law.

No Gifts to Report

- Q:** I did not receive any gifts this year. Do I still need to file?
- A:** No. You do not need to file if you did not receive any gifts during the reporting period. But, you can file a “no-gifts” report, if you so choose.



Additional Resources

Quick guide on gifts

Please see Commission's website for additional ethics resources:

<http://ethics.hawaii.gov>



Questions?

Please contact us at:

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

FAQs

Update Your Email Address

Q: I changed my email address. 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.

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 spam filter. If you do not receive a confirmation, contact the Commission immediately to make sure that your disclosure was filed.

Viewing and Printing Your Disclosure

Q: Can I request a copy of my gift disclosure?

A: Yes. Click on the **GD #** to open the form and click **PRINTABLE VIEW**. Then click **Print This Page**.

Amending a Disclosure

Q: I forgot to report an item on my gift disclosure. What should I do?

A: If you omitted items or need to make corrections, file an amended disclosure as soon as possible.

Failure to File

Q: I forgot to file a disclosure by the June 30th deadline. What should I do?

A: File your disclosure immediately. Failure to file a gift disclosure constitutes a violation of state law that may result in administrative fines. Therefore, you should file your gift disclosure, even if it is late.

Former State Officials

Q: I received a \$250 gift of travel in July and will be retiring in December. Do I still need to file a gift report before next June (when reports are due)?

A: Yes. The gift reporting requirements apply to anyone who was a state legislator, employee, or member of a state board or commission for any portion of the reporting period. Therefore, you should file your gift disclosure before you leave your state position.



Questions?

Please contact us at:

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