



HAWAII STATE ETHICS COMMISSION

1001 Bishop Street, Suite 970 | Honolulu, Hawaii 96813 | ethics@hawaiiethics.org | (808) 587-0460 | Twitter: @HawaiiEthics

THE STATE ETHICS CODE – A QUICK GUIDE ON CAMPAIGN ACTIVITIES FOR STATE OFFICIALS AND EMPLOYEES

1. Restrictions on Using State Resources for Political Campaigns

The Fair Treatment law of the State Ethics Code, Hawaii Revised Statutes (“HRS”) § 84-13, prohibits state legislators, state employees, and state board and commission members from using state resources for private business purposes, including political campaign purposes. This includes the following:

-  **State Time:** State officials and employees may not conduct campaign related business during state work hours, or use state personnel to perform campaign tasks or activities during state work hours.
-  **State Position:** State officials and employees may not use their official position to pressure others into making campaign contributions, providing campaign assistance, or otherwise supporting a candidate.
State Facilities: State officials and employees may not solicit campaign donations or conduct campaign business on state premises, including state offices and meeting rooms. State employees may not post campaign signs in their state workplace and may not allow candidates to conduct “walk-throughs” of state agencies. State premises or facilities that are available for public use may generally be used for campaign activities on the same terms that apply to the general public (for example, renting a school cafeteria for a public meeting), though some facilities - like Washington Place - prohibit campaign activities altogether.
-  **State Equipment and Supplies:** State officials and employees may not use state equipment (such as telephones, copy machines, fax machines, computers, vehicles), or state supplies (such as copy paper, stamps, and other office supplies) for campaign-related tasks or activities.
-  **State Email Server:** State officials and employees may not use their state email accounts to send campaign related emails, or respond to campaign emails received at a state account (other than to request that the sender stop sending such emails). Political candidates should avoid sending campaign emails to any state email address.
-  **State Websites or Social Media Pages:** State websites or official state social media pages cannot contain campaign related materials, such as campaign logos or photos of people in campaign t-shirts. State websites may not contain links to campaign websites.
-  **State Newsletters:** State newsletters cannot contain campaign materials, such as requests for donations or the campaign’s address/contact information.
-  **State Seal:** The State Seal generally may not be used on any campaign materials, as it gives the impression that the State of Hawaii is endorsing a particular political candidate. Use of the State Seal in any advertisement or in any manner likely to give the impression of official state approval is a misdemeanor. See HRS § 5-6.
-  **State Funds:** State funds may not be used to pay for campaign-related expenditures or activities, such as tickets to political fundraisers, campaign literature or signs, postage for campaign materials, food for campaign events, or travel made principally for a political campaign.

2. Endorsements

State officials and employees may be asked to endorse political candidates. In such cases, state officials and employees may cite their state position for biographical reasons, but must not create the impression that the State of Hawai'i or any state agency is endorsing a particular candidate.

Similarly, the State Ethics Code does not prohibit state officials and employees from supporting candidates on social media in their individual capacity if it is clear that the employee is not speaking in their official capacity. To avoid confusion, state employees may wish to clarify that they are speaking in their individual capacity or omit discussing their state position in any social media posts supporting a candidate.

3. Use of Media

Some state officials may be required to respond to media inquiries as part of their official state duties. Interviews conducted in an employee's official capacity must not promote a political campaign. For instance, during an official interview, state officials and employees should refrain from asking anyone to vote for a specific candidate or donate money to a political campaign. State officials may answer isolated campaign questions during state interviews, but if the questions continue to be related to the campaign, those questions should be referred to the campaign office.

4. Candidate Financial Disclosure Statements

All candidates for state political office in the State of Hawai'i must file a financial disclosure statement no later than twenty days before the state primary election. Filing can be completed online at http://ethics.hawaii.gov/candidatedisclosure_efiling/. Candidate financial disclosure statements are public documents and are posted on the State Ethics Commission's website: <http://ethics.hawaii.gov/>.

5. Other Laws

The Campaign Spending Law restricts campaign fundraising on state and county property (HRS § 11-354) and campaign contributions by state and county contractors (HRS § 11-355). It also establishes campaign contribution limits and reporting requirements. See HRS §§ 11-357, 11-340. These laws play an important part in ensuring fair and transparent elections. For further information, please contact the State Campaign Spending Commission.

Questions?

If you have further questions, please contact the Commission at (808) 587-0460 or via email at ethics@hawaiiethics.org. For questions about campaign finance issues, please contact the Hawai'i Campaign Spending Commission at (808) 586-0285, via Twitter [@hicsc](https://twitter.com/hicsc), or on the web at <http://ags.hawaii.gov/campaign/>.