



# HAWAI‘I STATE ETHICS COMMISSION

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## Do I need to register as a lobbyist?

### I. Are you contacting (or asking others to contact):

- a state legislator (or legislative staffer);
- the Governor’s office; or
- a state agency

Yes

No

### II. Are you discussing:

- legislation (including possible future legislation and bills/resolutions that are currently pending)
- legislation that you want the Governor to sign or veto; or
- administrative rules that you want a state agency to adopt, edit, or repeal?

Yes

No

### III. Are you paid at all for this work?

The answer is “**yes**” if:

- You have a paid job with a for-profit or a non-profit organization, and you are meeting with lawmakers or testifying on issues that your organization cares about.
- You are a business owner/employee, and you are testifying about how legislation might affect your business.
- You are meeting with a lawmaker on behalf of a trade association/coalition, and you are involved with the trade association/coalition because of your private employment with a for-profit or non-profit.

**You MUST register as a lobbyist and file expenditure reports if:**

1. You are paid \$1,000 or more to lobby in a calendar year; or
2. You are paid to lobby, and you lobby more than 5 hours in any month or 10 hours in a calendar year; or
3. You are paid to lobby, and you spend \$1,000 or more of your own money or someone else’s money on lobbying.

The answer is “**no**” if:

- You are an unpaid volunteer for a non-profit organization.
- You are a concerned citizen and you are testifying because you personally care about the issues; you do not have paid employment or business interests related to those issues.

**You do NOT have to register as a lobbyist.<sup>1</sup>**

<sup>1</sup> There are some exceptions, however, so please see the Lobbyists Law (Hawai‘i Revised Statutes chapter 97) and the Hawai‘i Administrative Rules on Lobbying (HAR title 21, chapter 10), available at <https://ethics.hawaii.gov/> (under “Resources”), and/or contact the Ethics Commission for guidance.

## What is lobbying?

Lobbying is communicating with anyone in the legislative or executive branch to try to influence legislative action, or communicating with any legislative or executive official about administrative agency rulemaking.

Lobbying also includes trying to get other people to contact the Legislature or the executive branch (“grassroots lobbying”).

Among other things, lobbying includes:

- Testifying on bills (even if you are just submitting “Comments”) and meeting with lawmakers
- Drafting testimony
- Trying to get other people to contact their legislators
- Any efforts to influence the Governor to sign or veto a bill
- Any efforts to influence any state agency to adopt, amend, or repeal any administrative rule

## How do I register as a lobbyist?

The Ethics Commission has an electronic registration system – it’s quick, it’s easy, and it’s free! Our lobbying e-filing site is available at <https://hawaiiethics.force.com/lobbying/s/>.

## When do I need to register as a lobbyist?

Within five days of becoming a lobbyist. Once you are registered, you need to renew every odd-numbered year (2023, 2025, and so on).

Be sure to file a separate lobbyist registration for each client that you represent.

## What happens when you register?

You and your client/organization will need to file expenditure reports with the Ethics Commission three times a year (March 31, May 31, and January 31. If you lobby during a special session, you must also file a special session report within thirty days after the special session ends.

Once you register as a lobbyist, you and your client/organization must file expenditure reports for each lobbying period (even if you had zero expenditures). If you are no longer lobbying, you can terminate your registration after you file all requisite expenditure reports.

## What happens if you don’t register or file expenditure reports?

Fines of up to \$1,000 per violation – including \$1,000 for every late or missing expenditure report.

## Are there any exceptions as to who has to register as a lobbyist?

Yes. There are exceptions for government employees, non-profit employees lobbying in support of Grant In Aid applications, task force members, the media, and people who do behind-the-scenes work for a registered lobbyist (but who don’t communicate directly with lawmakers). See our website, [ethics.hawaii.gov](https://ethics.hawaii.gov) for more details.

## Can I give a small gift to a legislator or legislative staff to show my appreciation for their work?

No. Legislators and legislative staff are generally prohibited from accepting ANY gifts from registered lobbyists and their clients. There are some exceptions – for example, you can usually give a modestly priced lei to a legislator to commemorate a special occasion – and you can contact the Ethics Commission for more information on whether a legislator could accept a gift you want to give. Generally, however, no gifts are allowed. If you offer a gift to a legislator or legislative staff person, you could get that person in trouble with the Ethics Commission.

## Have questions?

Please contact the Ethics Commission for fast, free, and confidential advice. We can help you figure out if you need to register as a lobbyist, how to sign up for an account, and how to report your lobbying expenditures.