CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAI'I

FILED
MAY 25 2025
PURSUANT TO ROH Sec. 1-2.4

ORDINANCE _____
BILL 33 (2023)

A BILL FOR AN ORDINANCE

RELATING TO OUTSIDE EMPLOYMENT.

BE IT ORDAINED by the People of the City and County of Honolulu:

SECTION 1. Findings and Purpose. The City Council finds that as the leadership of the legislative branch of the City and County of Honolulu ("City"), the officers of the City Council ("Council") are critical public officials, representing the voices and concerns of nearly one million O'ahu residents to influence the laws, policies, and budgets of the City and provide checks and balances for the City Administration. These officers are elected by O'ahu residents and have considerable responsibilities and obligations that directly affect the lives of those residents and sometimes require them to consider complex policy issues as they:

1. Draft, consider, and enact the ordinances and resolutions that govern the lives of the people of the City;

2. Review, amend, and enact the City's Executive Operating and Capital Budget Ordinances in addition to their own Legislative Budget and the Operating and Capital Budgets of the Honolulu Authority for Rapid Transportation;

3. Represent over 100,000 constituents in their respective Council districts, handle numerous constituent concerns, and work with the City Administration to address constituent inquiries;

4. Chair one or two, and be designated as a voting member of a number of, Council Standing Committees; and

5. Attend numerous Neighborhood Board and Community Association meetings, legislative hearings, and community events.

Due to these responsibilities and obligations to O'ahu residents, it is essential that these officers devote their full attention, time, and energy to serving our community to the best of their abilities and avoid even the appearance of potential conflicts of interest. Prohibiting Councilmembers from holding other employment while in office prevents any semblance of impropriety or a conflict of interest, maintains fiscal integrity, and promotes public trust in government officials.

Accordingly, the purpose of this ordinance is to prohibit Councilmembers from holding other employment while holding office.

SECTION 2. Chapter 5, Revised Ordinances of Honolulu 2021 ("Salaries, Employment, and Bonding Requirements of Elected Officials and Non-Civil-Service Officers"), is amended by adding a new article to be appropriately designated by the Revisor of Ordinances and to read as follows:

"ARTICLE __: OUTSIDE EMPLOYMENT OF COUNCILMEMBERS

§ 5-__.1 Definitions.

For the purposes of this article, the following definitions apply unless the context clearly indicates or requires a different meaning.

Blind Trust. A trust agreement where neither the trustor nor the beneficiaries have any control or influence over, or knowledge of, the assets in the trust, and which complies with the definition of "qualified blind trust," as defined in the Ethics in Government Act of 1978, 5 U.S.C. §§ 13101–13146 or their successor provisions.

Emolument. Any salary, fee, payment, wage, earning, allowance, stipend, honorarium, or reward; provided that "emolument" does not include the salary or benefits for service as a councilmember; any pension income; retirement income; social security payment received; non-controlling ownership of stocks, mutual funds, or real estate; rental income; or dividend, interest, or other form of passive income.

§ 5-__.2 Prohibition.

(a) As of the sixty-first calendar day after election or appointment to office, a councilmember may not, while holding that office, maintain any other employment, maintain a controlling interest in a business, or receive any emolument.

(b) Where a councilmember has a controlling interest in a business and does not wish to divest himself or herself of that interest, in order to comply with this section the councilmember may transfer the interest to a blind trust within sixty-one days of election or appointment.

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SECTION 3. This ordinance takes effect on January 1, 2024.

INTRODUCED BY:

Councilmembers

DATE OF INTRODUCTION:

MAY 25 2023
Honolulu, Hawai'i

APPROVED AS TO FORM AND LEGALITY:

FILED
MAY 25 2025
PURSUANT TO ROH Sec. 1-2.4

Deputy Corporation Counsel

APPROVED this _____ day of _____, 20 _____.

RICK BLANGIARDI, Mayor
City and County of Honolulu