

DEPARTMENT OF THE CORPORATION COUNSEL

HONOLULU ETHICS COMMISSION

Adoption of Chapter 7-1
City and County of Honolulu Administrative Rules

December 17, 2025

SUMMARY

Chapter 7-1 City and County of Honolulu Administrative Rules, entitled "Gifts to City Officers and Employees and Fair Treatment," is adopted.

CITY AND COUNTY OF HONOLULU ADMINISTRATIVE RULES

TITLE 7

DEPARTMENT OF THE CORPORATION COUNSEL

SUBTITLE 1 HONOLULU ETHICS COMMISSION

CHAPTER 7-1

GIFTS TO CITY OFFICERS AND EMPLOYEES AND
FAIR TREATMENT

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SUBCHAPTER 1

GENERAL PROVISIONS

§7-1-1 Scope. This chapter governs gifts to elected or appointed officers and employees, and fair and equal treatment by elected or appointed officers and employees. [Eff JAN 19 2026] (Auth: Haw. State Const. art. XIV; ROH §3-6.3) (Imp: RCH §§ 11-101, 11-102.1(a), 11-104; ROH §1-19.7)

§7-1-2 Definitions. Definitions applicable to this chapter are provided in sections 1-19.1, 1-19.7, 3-6.9, and 3-13.2, Revised Ordinances of Honolulu. As used in this chapter, unless the context clearly requires otherwise:

"Agency" has the same meaning as in section 1-19.1, Revised Ordinances of Honolulu.

"Business" has the same meaning as in section 1-19.1, Revised Ordinances of Honolulu.

"Charitable organization" means an entity organized under section 501(c)(3), Internal Revenue Code, or section 21-7-1, Hawaii Administrative Rules, or both.

"City purpose" means reasonably related to conducting one's official city duties.

"City resources" means city time, title, equipment, facilities, money, electronic mail, letterhead, and any other assets, including personnel.

"Commission" means the ethics commission established pursuant to section 11-107, Revised Charter of the City and County of Honolulu.

"Compensation" has the same meaning as in section 1-19.1, Revised Ordinances of Honolulu.

"Complaint" has the same meaning as in section 3-6.9, Revised Ordinances of Honolulu.

"Controlling interest" has the same meaning as in section 1-19.1, Revised Ordinances of Honolulu.

"Dependent relative" has the same meaning as in section 152(a), Internal Revenue Code, or section 235-2.4(a)(3), Hawaii Revised Statutes, or both.

"Financial interest" has the same meaning as in section 1-19.1, Revised Ordinances of Honolulu.

"Former employee" has the same meaning as in section 1-19.1, Revised Ordinances of Honolulu.

"Gift" has the same meaning as in section 1-19.7, Revised Ordinances of Honolulu.

"Legislative action" means the sponsorship, drafting, introduction, consideration, modification, enactment, or defeat of any bill, resolution, amendment, report, nomination, appointment, or any other matter pending or proposed in the council.

"Lobbyist" has the same meaning as in section 3-13.2, Revised Ordinances of Honolulu.

"Negligible value" has the same meaning as in section 1-19.7, Revised Ordinances of Honolulu.

"Officers and employees" has the same meaning as in section 1-19.1, Revised Ordinances of Honolulu.

"Official act" or "official action" has the same meaning as in section 1-19.1, Revised Ordinances of Honolulu. [Eff **JAN 19 2026**] (Auth: ROH §3-6.3(i)) (Imp: ROH §1-19.7; RCH §11-102.1(a))

SUBCHAPTER 2

GIFTS TO CITY OFFICERS AND EMPLOYEES

§7-1-3 Prohibited gifts. In determining whether a gift is prohibited under section 1-19.7(b), Revised Ordinances of Honolulu, the commission may examine and

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consider the circumstances surrounding the offer of the gift, including, but not limited to:

- (1) The donor's relationship to the recipient. Except as specifically provided in this chapter, a gift is likely prohibited where the recipient is in a position to take official action specifically affecting the donor, such as where the donor is a party to a contested case hearing before the recipient, regulated by the recipient or the recipient's agency, involved in procurement with the recipient or the recipient's agency, or a lobbyist seeking legislative or official action from the recipient or the recipient's agency;
- (2) The value of the gift. The higher the value of the gift, the more likely the gift is prohibited; and
- (3) Whether the gift supports a city purpose. Cash, gift cards, and complementary admission to events or venues that are primarily intended as entertainment, such as concerts, movies, sporting events, or golf tournaments, do not serve any city purpose and are more likely to be prohibited.
[Eff **JAN 19 2026**] (Auth: ROH §3-6.3(i))
(Imp: ROH §1-19.7; RCH §11-102.1(a))

§7-1-4 Acceptable items. (a) The following items may be accepted:

- (1) Gifts received by will or intestate succession;
- (2) Gifts received by way of a distribution of any inter vivos or testamentary trust established by a spouse, domestic partner,

civil union partner, fiancé, or fiancée, ancestor, any relative within four degrees of consanguinity, or the spouse, domestic partner, civil union partner, fiancé, or fiancée of such a relative;

- (3) Gifts from a spouse, domestic partner, civil union partner, fiancé, fiancée, ancestor, any relative within four degrees of consanguinity, or the spouse, domestic partner, civil union partner, fiancé, or fiancée of such a relative. A gift from any such person is not exempt from section 7-1-3 if the person is acting as an agent or intermediary for any person not covered by this paragraph;
- (4) Anything available or distributed to the public generally without regard to the official status of the recipient;
- (5) Unsolicited gifts that, within 30 days after receipt, are returned to the donor or donated to a public entity or to a bona fide educational or charitable organization without the donation being claimed by the city officer or employee as a charitable contribution for tax purposes. If the gift is donated to a public entity or to a bona fide educational or charitable organization, the donor shall send, along with the gift, documentation acknowledging the initial donor of the gift;
- (6) Exchanges of negligible or approximately equal value on holidays, birthdays, or other special occasions;
- (7) Typical beverages, meals, or snacks given when attending a conference or meeting; provided that the value of a meal may exceed a negligible value if the meeting or conference is open to individuals throughout a given industry or profession, or is

attended by individuals who represent a range of persons interested in a given matter;

- (8) Items of negligible value customarily given to express condolences or sympathy, such as flowers, food items, cards, or monetary gifts of negligible value given to a city officer or employee in connection with the death or significant injury or illness of the city officer, employee, or an immediate family member of the city officer or employee;
- (9) Items customarily given from a single source within a fiscal year that do not exceed a negligible value; provided that items will be deemed to be from a single source if they are being given by owners, partners, officers, directors, lobbyists, representatives, or agents of a single source;
- (10) Culturally appropriate lei of no resale value, given at a celebration;
- (11) Awards, plaques, certificates, mementos, novelties, culturally significant items, or similar non-monetary items of no resale value given in recognition of or in gratitude for the recipient's civic, charitable, political, professional, or public service; and
- (12) Unsolicited gifts received while visiting other cities, counties, states, or countries; or while hosting visitors from other cities, counties, states, or countries when it would be a breach of protocol to refuse the gift presented by representatives of governmental bodies or political subdivisions who are acting in their official capacities.

(b) Gifts given under circumstances in which it cannot be reasonably inferred that the gift was intended to influence or reward the recipient for the performance or nonperformance of the recipient's city duties, or secure for the donor or anyone else any unwarranted privilege, exemption, advantage, contract, or treatment that is not established by law or rule, may generally be accepted, and include, but are not limited to:

- (1) Discounts, services, or other benefits offered to the public at large. This may include discounts, services, or other benefits offered to government employees as a group;
- (2) Bona fide competitively awarded grants or scholarships;
- (3) Promotional items having no resale value, such as branded pens, calendars, hats, or tote bags;
- (4) Rewards or prizes given to competitors in contests or events including random drawings, offered to the public or a segment thereof, where the officer or employee receiving the reward or prize does not attend the contest or event in an official capacity, unless a reasonable person would conclude that the reward or prize was offered to the city officer or employee because of the city officer's or employee's official city position;
- (5) Gifts received by a spouse or dependent child of the city officer or employee solely because of the spouse's or child's own employment, volunteer activities, or personal relationships, where a reasonable person would not believe that the gift was intended to influence or reward the city officer or employee; and

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- (6) An unsolicited gift of negligible value per single source per fiscal year given as a token of appreciation where the gift is offered by an individual donor in the individual donor's personal capacity, and the gift is given under the circumstances in which no reasonable person would conclude that the gift was intended to influence the recipient's city duties with respect to the single source or individual donor, including, but not limited to home-baked or home-grown food and items of no resale value such as coffee, donuts, and banana bread.
[Eff **JAN 17 2026**] (Auth: ROH §3-6.3(i))
(Imp: ROH §1-19.7; RCH §11-102.1(a))

§7-1-5 Valuation of gifts. (a) The value of a gift is its fair market value, which is the cost that a member of the public would reasonably expect to incur to purchase the gift, including any tax-deductible portion.

(b) If the gift is a seat at a table for an event, there is a rebuttable presumption that the value of the gift is the cost of the table sponsorship divided by the number of seats at the table.
[Eff **JAN 19 2026**] (Auth: ROH §3-6.3(i)) (Imp: ROH §1-19.7; RCH §11-102.1(a))

§7-1-6 Indirect gifts. (a) A gift which is solicited or accepted indirectly includes a gift given to any person, including a charitable organization, based on the designation, recommendation, or other specification by the city officer or employee.

(b) Where a donor of a gift does not specify a recipient within an office and the gift is given with

the knowledge and acquiescence of the supervisor of the receiving office, the gift is presumed to be a gift to the supervisor of the receiving office.

(c) A gift to a city officer's or employee's parent, sibling, spouse, domestic partner, child dependent relative, or a member of the officer's or employee's household is presumed to be a gift to a city officer or employee if the gift is given with the city officer's or employee's knowledge and acquiescence that the gift is offered because of the family or household member's relationship to the city officer or employee.

[Eff **JAN 19 2026**] (Auth: ROH §3-6.3(i)) (Imp: ROH §1-19.7; RCH §11-102.1(a))

SUBCHAPTER 3

FAIR TREATMENT

§7-1-7 Fair treatment. (a) Subject to article III, section 7, of the Hawaii State Constitution, city officers and employees shall not use or attempt to use their official positions to solicit, request, accept, receive, or grant special consideration, unwarranted treatment, advantages, privileges, exemptions, contracts, or benefits, for themselves or others. Among other things, city officers and employees shall not:

- (1) Use or attempt to use their official position to seek or secure private employment or contracts for services for themselves or others, provided that city officers and employees may offer

- professional references for their current and former employees;
- (2) Accept, receive, or solicit compensation, honoraria, other consideration, or gifts for the performance of their official duties or responsibilities except as provided by law;
 - (3) Use city resources for private business purposes, including, but not limited to:
 - (A) Political campaign activities;
 - (B) Advertising or publicizing the sale of goods or services;
 - (C) Taking or responding to sales orders or inquiries;
 - (D) Preparing or sending invoices;
 - (E) Collecting payments;
 - (F) Producing or delivering goods or services;
 - (G) Arranging or conducting private business meetings;
 - (H) Requesting or directing other city personnel to assist with private business activities; or
 - (I) Otherwise furthering a private business interest, except where the city has made a city facility or resource available for rent, purchase, or use by private organizations or individuals on generally equal terms and such use serves a city purpose;
 - (4) Use city resources for fundraising, unless:
 - (A) The mayor, council chair (or the Police Chief, Prosecuting Attorney, or Fire Chief) officially designates a particular non-profit or charity event or project as having a community-wide benefit, city resources may be used, with appropriate approval, to provide city support to these groups or

projects where such fundraising serves a significant city purpose; or

(B) Voluntary solicitations to city personnel to donate to a common fund in times of extraordinary financial need to aid those who have suffered losses, which shall be reviewed and approved by the department director for employees in a city agency; or

(5) Solicit or engage in a substantial financial transaction with a subordinate or a person or business the city officer or employee inspects or supervises in an official capacity.

(b) Solicitation or acceptance of a substantial number of individual gifts may raise fair treatment concerns even if each individual gift is acceptable.


(c) Notwithstanding subsection (a), city officers and employees may use a city resource for reasonable personal use as a convenience that is (1) for a brief time, (2) does not interfere with the productivity of the employee, (3) does not create an additional cost to the city, and (4) is not for business, financial, or commercial purposes.

[Eff **JAN 19 2026**] (Auth: ROH §3-6.3(i)) (Imp: ROH §1-19.7; RCH §11-104)


DEPARTMENT OF CORPORATION COUNCIL

Chapter 7-1, City and County of Honolulu Administrative Rules, on the Summary Page dated December 17, 2025, was adopted on December 17, 2025, following a public hearing held on December 3, 2025, after public notice was given in the Honolulu Star-Advertiser on October 28, 2025.

The adoption of chapter 7-1 shall take effect ten days after filing with the Office of the City Clerk.


SHELTON G.W. JIM ON, Chair
Ethics Commission
City and County of Honolulu

APPROVED:


RICK BLANGIARDI, Mayor
City and County of Honolulu

Dated: 1 / 2 / 26

APPROVED AS TO FORM:

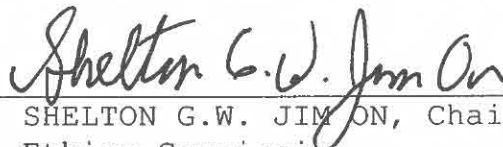

Deputy Corporation Counsel
GEOFFREY M. KAM

JAN 9 2026

Filed

CERTIFICATION

I, SHELTON G.W. JIM ON, in my capacity as Chair of the Ethics Commission, City and County of Honolulu, do hereby certify that the foregoing is a full, true and correct copy of Title 7, Subtitle 1, Chapter 7-1, City and County of Honolulu Administrative Rules, entitled "Gifts to City Officers and Employees and Fair Treatment," which were adopted on December 17, 2025, following a public hearing held on December 3, 2025, after public notice was given on October 28, 2025, in the Honolulu Star-Advertiser.



SHELTON G.W. JIM ON, Chair
Ethics Commission
City and County of Honolulu

Received this 9th day of
January, 2026



City Clerk
Glen I. Takahashi