
A BILL FOR AN ACT

RELATING TO BRIBERY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 710-1040, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "**§710-1040 Bribery.** (1) A person commits the offense of
4 bribery if:

5 (a) The person confers, or offers or agrees to confer,
6 directly or indirectly, any pecuniary benefit upon a
7 public servant with the intent to influence the public
8 servant's vote, opinion, judgment, exercise of
9 discretion, or other action in the public servant's
10 official capacity; or

11 (b) While a public servant, the person solicits, accepts,
12 or agrees to accept, directly or indirectly, any
13 pecuniary benefit with the intent that the person's
14 vote, opinion, judgment, exercise of discretion, or
15 other action as a public servant will thereby be
16 influenced.



1 (2) It is a defense to a prosecution under subsection (1)
2 that the accused conferred or agreed to confer the pecuniary
3 benefit as a result of extortion or coercion.

4 (3) For purposes of this section, "public servant"
5 includes, in addition to persons who occupy the position of
6 public servant as defined in section [+]710-1000[+], persons who
7 have been elected, appointed, or designated to become a public
8 servant although not yet occupying that position.

9 (4) Bribery is a class B felony.

10 (5) Notwithstanding subsection (4), bribery is a class A
11 felony without the possibility of probation or suspension of
12 sentence if:

13 (a) The public servant was an elected or appointed
14 official;

15 (b) The value, or aggregate value, of the pecuniary
16 benefit exceeded \$20,000; or

17 (c) The person committed three or more acts of bribery in
18 any three-year period.

19 (6) A person convicted of violating this section,
20 notwithstanding any law to the contrary, shall not be eligible



1 for a deferred acceptance of guilty plea or nolo contendere plea
2 under chapter 853."

3 SECTION 2. Statutory material to be repealed is bracketed
4 and stricken. New statutory material is underscored.

5 SECTION 3. This Act shall take effect upon its approval.

6

INTRODUCED BY: _____



By Request

JAN 18 2024



H.B. NO. 1867

Report Title:

Honolulu Prosecuting Attorney Package; Criminal Offenses;
Bribery

Description:

Increases penalties for bribery, under certain circumstances.

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