

JAN 19 2018

A BILL FOR AN ACT

RELATING TO ETHICS.

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

1 SECTION 1. Section 84-39, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "~~§84-39~~ Administrative fines ~~[-]~~ and restitution. (a)

4 Where an administrative fine has not been established for a
5 violation of this chapter, any person, including a legislator or
6 employee, who violates this chapter shall be subject to an
7 administrative fine imposed by the state ethics commission that
8 shall not exceed \$1,000 for each violation. All fines collected
9 under this section shall be deposited in the general fund.

10 (b) The commission may require any person who violates
11 this chapter to pay restitution in addition to any
12 administrative fine.

13 ~~[-(b)-]~~ (c) No fine shall be assessed nor shall restitution
14 be imposed under this section unless:

15 (1) The ~~[state-ethics]~~ commission convenes a hearing in
16 accordance with section 84-31(c) and chapter 91 and a
17 decision has been rendered by the commission; or



1 (2) The [~~state ethics~~] commission and respondent agree to
2 resolve any [~~charge of an~~] alleged violation prior to
3 completion of the contested case process and the
4 resolution includes payment of an administrative fine
5 or restitution, or both."

6 SECTION 2. If any provision of this Act, or the
7 application thereof to any person or circumstance, is held
8 invalid, the invalidity does not affect other provisions or
9 applications of the Act that can be given effect without the
10 invalid provision or application, and to this end the provisions
11 of this Act are severable.

12 SECTION 3. This Act does not affect rights and duties that
13 matured, penalties that were incurred, and proceedings that were
14 begun before its effective date.

15 SECTION 4. Statutory material to be repealed is bracketed
16 and stricken. New statutory material is underscored.

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

18
INTRODUCED BY: _____


By Request



S.B. NO. 2141

Report Title:

State Ethics Commission Package; Ethics Violations; Restitution

Description:

Empowers the State Ethics Commission to require the payment of restitution for ethics violations after a hearing or agreement between the parties.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

