

JAN 20 2017

A BILL FOR AN ACT

RELATING TO ETHICS.

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

1 SECTION 1. Section 84-11.5, Hawaii Revised Statutes, is
2 amended by amending subsection (d) to read as follows:

3 "(d) Excluded from the reporting requirements of this
4 section are the following:

- 5 (1) Gifts received by will or intestate succession;
- 6 (2) Gifts received by way of distribution of any inter
7 vivos or testamentary trust established by a spouse or
8 ancestor;
- 9 (3) Gifts from a spouse, fiance, fiancée, or any relative
10 within four degrees of consanguinity, or the spouse,
11 fiance, or fiancée of such a relative. A gift from
12 any such person is a reportable gift if the person is
13 acting as an agent or intermediary for any person not
14 covered by this paragraph;
- 15 (4) Political campaign contributions that comply with
16 state law;



- 1 (5) Anything available to or distributed to the public
2 generally without regard to the official status of the
3 recipient;
- 4 (6) Gifts that, within thirty days after receipt, are
5 returned to the giver or delivered to a public body or
6 to a bona fide educational or charitable organization
7 without the donation being claimed as a charitable
8 contribution for tax purposes; ~~and~~
- 9 (7) Exchanges of approximately equal value on holidays,
10 ~~[birthday,]~~ birthdays, or special occasions~~[-]~~; and
- 11 (8) Gifts received by an elected or appointed official on
12 behalf of the State; provided that the gift shall be
13 listed in a public record as the property of the
14 State. Upon the end of the official's term of office
15 the gift may remain with the official's agency or the
16 agency may transfer the gift to the state archives or
17 state foundation on culture and the arts, as
18 appropriate."

19 SECTION 2. Statutory material to be repealed is bracketed
20 and stricken. New statutory material is underscored.

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

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INTRODUCED BY:

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Anne Mercedes King
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S.B. NO. 631

Report Title:

Ethics; Gift Reporting; Elected Officials

Description:

Exempts gifts received by an elected or appointed official on behalf of the State from gift reporting requirements under the ethics code. Requires the gift to be publicly recorded as property of the State and allows the gift to remain with the official's agency or be transferred to the state archives or state foundation on culture and arts at the end of the official's term.

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