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# A BILL FOR AN ACT

RELATING TO PUBLIC CORRUPTION.

**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~~] shall be a defense to a prosecution under  
2 subsection (1) that the accused conferred or agreed to confer  
3 the pecuniary 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[~~-~~]; provided that bribery  
10 is a class A felony if:

11 (a) The public servant is an elected or appointed  
12 official;

13 (b) The value, or aggregate value, of the pecuniary  
14 benefit described in subsection (1) exceeds \$20,000;  
15 or

16 (c) The person commits three or more acts of bribery as  
17 described in subsection (1) in a three-year period.

18 (5) A person convicted of violating this section,  
19 notwithstanding any law to the contrary, shall not be eligible  
20 for a deferred acceptance of guilty plea or nolo contendere plea  
21 under chapter 853."



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

7           SECTION 3. Statutory material to be repealed is bracketed  
8 and stricken. New statutory material is underscored.

9           SECTION 4. This Act shall take effect on June 30, 3000.



**Report Title:**

Honolulu Prosecuting Attorney Package; Public Corruption;  
Bribery; Offenses; Penalties

**Description:**

Increases the penalties for bribery offenses under certain  
circumstances. Effective 6/30/3000. (HD1)

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

