

JAN 19 2023

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# A BILL FOR AN ACT

RELATING TO GIFTS FROM LOBBYISTS.

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

1           SECTION 1. The purpose of this Act is to improve standards  
2 of conduct by prohibiting lobbyists from making certain gifts to  
3 legislators and state employees.

4           SECTION 2. Chapter 97, Hawaii Revised Statutes, is amended  
5 by adding a new section to be appropriately designated and to  
6 read as follows:

7           "§97-       Unlawful gifts by lobbyists. (a) It shall be  
8 unlawful for a lobbyist or any person or entity required to file  
9 a statement of expenditures under section 97-3 to make a gift to  
10 a legislator or employee that is prohibited by section 84-11 or  
11 title 21, chapter 7 of the Hawaii administrative rules.

12           (b) For the purposes of this section, "employee" shall  
13 have the same meaning as defined in section 84-3."

14           SECTION 3. Section 97-7, Hawaii Revised Statutes, is  
15 amended by amending subsection (a) to read as follows:

16           "(a) Any person [~~who~~] or entity that:



- 1 (1) Negligently fails to file any statement or report
- 2 required by this chapter;
- 3 (2) Negligently files a statement or report containing
- 4 false information or material omission of any fact;
- 5 (3) Engages in activities prohibited by section 97-5; [~~or~~]
- 6 (4) Fails to provide information required by section 97-2
- 7 or 97-3; or
- 8 (5) Makes a gift in violation of section 97- ;

9 shall be subject to an administrative fine imposed by the state  
10 ethics commission that shall not exceed \$1,000 for each  
11 violation of this chapter. All fines collected under this  
12 section shall be deposited into the general fund."

13 SECTION 4. This Act does not affect rights and duties that  
14 matured, penalties that were incurred, and proceedings that were  
15 begun before its effective date.

16 SECTION 5. If any provision of this Act, or the  
17 application thereof to any person or circumstance, is held  
18 invalid, the invalidity does not affect other provisions or  
19 applications of the Act that can be given effect without the  
20 invalid provision or application, and to this end the provisions  
21 of this Act are severable.



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1           SECTION 6. Statutory material to be repealed is bracketed  
2 and stricken. New statutory material is underscored.

3           SECTION 7. This Act shall take effect upon its approval.

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INTRODUCED BY:                     *Wm. J. Miller*                    

**By Request**



# S.B. NO. 189

**Report Title:**

State Ethics Commission Package; Gifts: Lobbyists; Penalty

**Description:**

Prohibits lobbyists from making gifts that are prohibited under state ethics law.

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

