

JAN 19 2023

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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 by amending subsection (4) to read as follows:

3           "(4) Bribery is a class B felony[-]; provided that bribery  
4 is a class A felony if:

5           (a) The public servant is an elected or appointed  
6           official;

7           (b) The value, or aggregate value, of the pecuniary  
8           benefit described in subsection (1)(a) or (1)(b)

9           exceeds \$20,000; or

10          (c) The person commits three or more acts of bribery as

11          described in subsection (1)(a) or (1)(b) in a

12          three-year period.

13          (5) A person convicted of violating this section,

14 notwithstanding any law to the contrary, shall not be eligible

15 for a deferred acceptance of guilty plea or nolo contendere plea

16 under chapter 853."



## S.B. NO. 227

1 SECTION 2. Section 710-1072.5, Hawaii Revised Statutes, is  
2 amended to read as follows:

3 "§710-1072.5 Obstruction of justice. (1) A person  
4 commits the offense of obstruction of justice if the person  
5 intentionally [~~engages in the following conduct~~]:

6 (a) When called as a witness and having been granted  
7 immunity pursuant to chapters 480 and 621C, before or  
8 after having been qualified as a witness, [~~shall~~  
9 ~~refuse~~] refuses to testify or be qualified as a  
10 witness when duly directed to testify or be qualified  
11 as a witness [~~-~~]; or

12 (b) Influences; obstructs; impedes; or endeavors to  
13 influence, obstruct, or impede, the due administration  
14 of justice by means of force, threat of force,  
15 coercion, fraud, or deception.

16 (2) Obstruction of justice is a class [C] B felony. A  
17 person convicted of violating this section, notwithstanding any  
18 law to the contrary, shall not be eligible for a deferred  
19 acceptance of guilty plea or nolo contendere plea under  
20 chapter 853."



# S.B. NO. 227

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 Statutory material to be repealed is bracketed  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

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

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INTRODUCED BY:

*M. N. ...*

By Request



# S.B. NO. 227

**Report Title:**

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

**Description:**

Increases the penalties for bribery under certain circumstances.  
Amends the offense of obstruction of justice to include  
obstruction by force, threat of force, coercion, fraud, or  
deception.

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

