

JAN 18 2024

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# A BILL FOR AN ACT

RELATING TO BRIBERY.

**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 a defense to a prosecution under subsection (1)  
2 that the accused conferred or agreed to confer the pecuniary  
3 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.

10          (5) Notwithstanding subsection (4), bribery is a class A  
11 felony without the possibility of probation or suspension of  
12 sentence if:

13          (a) The public servant was an elected or appointed  
14 official;

15          (b) The value, or aggregate value, of the pecuniary  
16 benefit exceeded \$20,000; or

17          (c) The person committed three or more acts of bribery in  
18 any three-year period.

19          (6) A person convicted of violating this section,  
20 notwithstanding any law to the contrary, shall not be eligible





# S.B. NO. 2192

**Report Title:**

Honolulu Prosecuting Attorney Package; Criminal Offenses;  
Bribery

**Description:**

Increases penalties for bribery, under certain circumstances.

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

