

JAN 23 2025

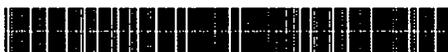
A BILL FOR AN ACT

RELATING TO JOURNALISM.

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

1 SECTION 1. The legislature finds that in today's rapidly
2 evolving media landscape, the need for ethical standards in
3 journalism has never been more urgent. The rise of social
4 media, deepfake technologies, and generative AI has amplified
5 the spread of misinformation, posing new challenges for
6 journalism and public trust. Pew Research data shows a
7 significant decline in public confidence in media, underscoring
8 the importance of fostering transparency and accountability
9 through ethical journalistic practices. Traditional journalism,
10 though valuable, often falls short in addressing the ethical
11 dilemmas presented by emerging technologies. The legislature
12 believes that strengthening ethical standards for media outlets
13 will enable the State to combat misinformation, rebuild trust,
14 protect the privacy of citizens, and equip them with the
15 necessary tools to adapt to the digital age.

16 The legislature further finds that it is a matter of
17 statewide concern pursuant to article X, section 6, of the



1 Hawaii State Constitution, to require the board of regents to
2 analyze and determine the effectiveness of the media ethics
3 course required for a bachelor of arts in journalism at the
4 university of Hawaii at Manoa college of social sciences.

5 Therefore, the purpose of this Act is to promote
6 responsible journalism by:

7 (1) Establishing baseline ethical standards and
8 transparency requirements for journalists, editors, or
9 news media outlets operating in Hawaii, while
10 protecting their rights to exercise freedom of speech
11 or freedom of the press; and

12 (2) Directing the board of regents of the university of
13 Hawaii to conduct an analysis of the degree
14 requirements for a bachelor of arts in journalism at
15 the university of Hawaii at Manoa college of social
16 sciences.

17 SECTION 2. The Hawaii Revised Statutes is amended by
18 adding a new chapter to be appropriately designated and to read
19 as follows:

20 "CHAPTER

21 JOURNALISTIC INTEGRITY AND ETHICS



1 § -1 **Applicability.** This chapter shall apply to all
2 news media outlets operating within the State, including
3 traditional print, broadcast, and digital media; provided that
4 independent journalists and bloggers with a readership of fewer
5 than 10,000 per month shall be exempt from this chapter.

6 § -2 **Definitions.** As used in this chapter:

7 "Board" or "review board" means the journalistic ethics
8 review board.

9 "Commission" means the journalistic ethics commission.

10 "Department" means the department of commerce and consumer
11 affairs.

12 "Journalistic code of ethics" means the code of ethics and
13 other standards of conduct described in section -4(a).

14 "Small news media outlet" means a news media outlet:

15 (1) Headquartered in the State;

16 (2) Doing business in the State for not less
17 than years; and

18 (3) Employing or more residents with income subject
19 to taxation pursuant to chapter 235.

20 § -3 **Journalistic ethics commission; established;**

21 **composition; duties.** (a) There is established within the



1 department a journalistic ethics commission. The commission
2 shall consist of members to be appointed or removed by the
3 governor as provided in section 26-34; provided that the
4 commission shall include at least:

5 (1) One member who is a professor of journalism from the
6 university of Hawaii school of communication and
7 information;

8 (2) One member representing print media;

9 (3) One member representing broadcast television;

10 (4) One member representing broadcast radio;

11 (5) One member representing digital media, including
12 social media; and

13 (6) One member representing the public.

14 (b) The chairperson of the commission shall be elected by
15 the majority of the members of the commission. The term of each
16 member of the commission shall be years. No person shall
17 be appointed consecutively to more than two terms as a member of
18 the commission. A vacancy on the commission shall be filled for
19 the remainder of the unexpired term in the same manner as the
20 original appointment.



1 (c) The members of the commission shall serve without pay
2 but shall be reimbursed for their actual and necessary expenses,
3 including travel expenses, incurred in carrying out their
4 duties.

5 (d) The commission shall have the following powers and
6 duties:

7 (1) The commission shall render advisory opinions upon
8 request as to whether the facts and circumstances of a
9 particular case constitute or will constitute a
10 violation of the journalistic code of ethics;

11 (2) The commission shall administer the journalistic code
12 of ethics, subject to the procedural requirements of
13 this chapter and any rules adopted thereunder;

14 (3) The commission may adopt, amend, and repeal any rules,
15 not inconsistent with this chapter, that in the
16 judgment of the commission seem appropriate for the
17 implementation of this chapter and for the efficient
18 administration thereof, including every matter or
19 thing required to be done or which may be done with
20 the approval, consent, order, direction, supervision,
21 or prescription of the commission; provided that the



1 rules, when adopted as provided in chapter 91, shall
2 have the force and effect of law;

3 (4) The commission shall distribute its publications
4 without cost to the public and initiate and maintain
5 programs with the purpose of educating the citizenry,
6 legislators, and the news media industry on matters of
7 ethics in journalism;

8 (5) The commission shall enforce penalties recommended by
9 the review board; and

10 (6) The commission shall submit an annual report
11 summarizing the outlook of media ethics compliance in
12 the State to the legislature no later than twenty days
13 prior to the convening of each regular session.

14 § -4 **Journalistic code of ethics; ethical standards; AI-**
15 **generated or AI-manipulated content; training requirements.** (a)

16 A journalist, editor, or news media outlet shall:

17 (1) Comply with the code of ethics adopted by the Society
18 of Professional Journalists;

19 (2) Prominently label a story, video, or audio segment
20 that contains AI-generated or AI-manipulated content;



1 (3) Not use an AI tool to impersonate an individual or
2 misrepresent facts; and

3 (4) Comply with any additional standards adopted by the
4 commission.

5 (b) All news media outlets shall provide periodic
6 journalistic ethics training for journalists and editors in
7 their employ, including contracted journalists or editors, based
8 on:

9 (1) The standards adopted by the Society of Professional
10 Journalists; and

11 (2) Any additional standards adopted by the commission;
12 provided that the department shall provide assistance
13 to small and nonprofit news media outlet in obtaining
14 grants and other financial support in providing the
15 training pursuant to this subsection.

16 § -5 **Journalistic ethics review board; established;**
17 **duties.** (a) There is established a journalistic ethics review
18 board for the State.

19 (b) The board shall consist of _____ members who shall be:

20 (1) Residents of the State;

21 (2) Appointed to terms of _____ years each; and .



S.B. NO. 1618

1 (3) Removable by the governor pursuant to section 26-34.
2 Notwithstanding section 26-34, no member shall be appointed to
3 the board for more than three consecutive terms. The governor
4 shall designate a member of the board to act as its chairperson.

5 (b) The board shall establish and administer a public
6 reporting and dispute resolution program that shall include:

7 (1) A dedicated hotline and online reporting system to
8 file complaints related to violations of the
9 journalistic code of ethics described in
10 section -4(a); and

11 (2) A complaint and appeals process for a person to file a
12 complaint or an appeal of the board's determination
13 with the board to challenge a journalist, editor, or
14 news media outlet believed to have violated the
15 journalistic code of ethics or any rules adopted by
16 the journalistic ethics commission; provided that the
17 board shall:

18 (A) Acknowledge receipt of the person's filed appeal
19 within five business days;

20 (B) Conduct an investigation and provide a written
21 determination within thirty calendar days; and



1 (C) If the board determines that a journalist,
2 editor, or news media outlet has violated the
3 journalistic code of ethics or any rules adopted
4 by the commission, recommend a penalty for non-
5 compliance.

6 (c) The board shall be within the department of commerce
7 and consumer affairs for budgetary and administrative purposes.
8 All members of the board shall be exempt from chapters 76 and
9 89.

10 § -6 Penalties. Any journalist, editor, or news media
11 outlet in violation of this chapter may be subject to the
12 following for a second violation and each violation thereafter:

- 13 (1) A public notice of non-compliance;
- 14 (2) A fine of not less than \$ for each separate
15 offence;
- 16 (3) Suspension or revocation of state media privileges,
17 including press credentials for government-sponsored
18 events; or
- 19 (4) Any combination of the foregoing, as deemed
20 appropriate by the review board;



1 provided that each day of each violation shall be deemed a
2 separate offense.

3 § -7 **Protection of journalistic independence.** (a) The
4 State shall not deny or interfere with a journalist's, editor's,
5 or news media outlet's right to exercise freedom of speech or
6 freedom of the press. A journalist, editor, or news media
7 outlet shall not be disciplined for acting in accordance with
8 this chapter. A journalist, editor, or news media outlet shall
9 be responsible for determining the news, opinion, feature, and
10 advertising content of their publication.

11 (b) Nothing in this chapter shall be construed to
12 authorize or protect expression that:

- 13 (1) Is libelous or slanderous;
- 14 (2) Constitutes a clearly unwarranted invasion of personal
15 privacy;
- 16 (3) Violates state or federal law;
- 17 (4) Is obscene; or
- 18 (5) So incites a clear and present danger of the
19 commission of an unlawful act; provided that the
20 determination of a risk of material and substantial
21 disruption shall be based upon specific facts and not



1 on undifferentiated fear or apprehension of
2 disturbance."

3 SECTION 3. (a) The board of regents shall conduct an
4 analysis of the degree requirements for a bachelor of arts in
5 journalism at the university of Hawaii at Manoa college of
6 social sciences to determine:

7 (1) The validity and effectiveness of the credit hours of
8 ethics currently required for one to earn a bachelor
9 of arts in journalism; and

10 (2) Whether more credit hours of ethics should be
11 required.

12 (b) The board of regents shall submit a report of its
13 findings and recommendations regarding their analysis, including
14 any proposed legislation, to the legislature no later than
15 twenty days prior to the convening of the regular session of
16 2026.

17 SECTION 4. This Act shall take effect upon its approval.

18

INTRODUCED BY: 



S.B. NO. 1618

Report Title:

DCCA; UH; BOR; Journalistic Ethics Commission; Journalistic Ethics Review Board; College of Social Sciences; Journalism; Public Reporting; Dispute Resolution; Complaint; Ethics; Reports; Penalties

Description:

Establishes a Journalistic Ethics Commission within the Department of Commerce and Consumer Affairs. Establishes a Journalistic Code of Ethics. Requires news media outlets to provide training in the ethics of journalism to journalists and editors in their employ. Establishes a Journalistic Ethics Review Board to be administratively attached to the Department of Commerce and Consumer Affairs. Requires the Journalistic Ethics Review Board to handle complaints and appeals regarding violations of the Journalistic Code of Ethics. Requires the Journalistic Ethics Commission to submit annual reports to the Legislature. Establishes penalties for violations. Requires the Board of Regents of the University of Hawaii to conduct an analysis of the journalism program at the University of Hawaii at Manoa College of Social Sciences. Requires the Board of Regents to report to the Legislature.

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

