
A BILL FOR AN ACT

RELATING TO BRIBERY.

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

1 SECTION 1. Chapter 710, Hawaii Revised Statutes, is
2 amended by adding a new section to part IV to be appropriately
3 designated and to read as follows:

4 "§710- Failure to report bribery; state elected
5 officials. (1) A state elected official commits the offense of
6 failure to report bribery when the elected official:

7 (a) Knows that:

8 (i) A person has conferred, offered, or agreed to
9 confer, directly or indirectly, any pecuniary
10 benefit upon the elected official with the intent
11 to influence the elected official's vote,
12 opinion, judgment, exercise of discretion, or
13 other action in the elected official's official
14 capacity in violation of section 710-1040(1)(a);

15 or

16 (ii) The elected official has witnessed:



- 1 (A) A person confer, offer, or agree to confer,
2 directly or indirectly, any pecuniary
3 benefit upon another state elected official
4 with the intent to influence that elected
5 official's vote, opinion, judgment, exercise
6 of discretion, or other action in that
7 elected official's official capacity in
8 violation of section 710-1040(1)(a); or
9 (B) Another state elected official solicit,
10 accept, or agree, directly or indirectly,
11 any pecuniary benefit with the intent that
12 the elected official's vote, opinion,
13 judgment, exercise of discretion, or other
14 action as an elected official will thereby
15 be influenced in violation of section 710-
16 1040(1)(b); and
17 (b) Fails to report the known or witnessed conduct within
18 sixty days after the date the elected official knew of
19 or witnessed the conduct. For the purposes of this
20 paragraph, a report made in good faith within the



1 sixty-day period to any of the following shall satisfy
2 the reporting requirement:

- 3 (i) The department of the attorney general;
- 4 (ii) The prosecuting attorney of the county where the
5 conduct occurred or where the reporting official
6 serves;
- 7 (iii) Any law enforcement agency with jurisdiction; or
- 8 (iv) The state ethics commission or an authorized
9 county ethics board.

10 (2) Failure to report bribery is a misdemeanor.

11 (3) For the purposes of this section, "state elected
12 official" means any person whose salary is determined by the
13 commission on salaries pursuant to article XVI, section 3.5 of
14 the Hawaii State Constitution or section 26-56."

15 SECTION 2. This Act does not affect rights and duties that
16 matured, penalties that were incurred, and proceedings that were
17 begun before its effective date.

18 SECTION 3. New statutory material is underscored.

19 SECTION 4. This Act shall take effect on March 22, 2075.



Report Title:

Bribery; Elected Official; Failure to Report; Pecuniary Benefit

Description:

Establishes the offense of failure to report bribery by a state elected official as a misdemeanor. Requires a state elected official who knows of or witnesses the conferring, offering, solicitation, or acceptance of a pecuniary benefit in violation of the bribery statute to report the conduct to the Department of the Attorney General, a county prosecuting attorney, a law enforcement agency, the State Ethics Commission, or a county ethics board within sixty days. Defines "state elected official". Effective 3/22/2075. (SD1)

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