

JAN 23 2026

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# A BILL FOR AN ACT

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RELATING TO BRIBERY.

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

1       SECTION 1. The legislature finds that bribery and related  
2 acts of public corruption fundamentally undermine the integrity  
3 of government, distort the fair and impartial exercise of  
4 official duties, and erode public confidence in democratic  
5 institutions.

6       The legislature further finds that existing law prohibits  
7 the offering, solicitation, and acceptance of bribes, including  
8 the bribery of public servants. However, existing law does not  
9 impose an affirmative duty on public servants to report  
10 incidents of bribery, allowing corruption to persist through  
11 silence and concealment.

12       The legislature additionally finds that numerous states  
13 across the county have implemented statutes establishing an  
14 affirmative reporting duty for public servants. These statutes  
15 reflect a national standard: public service entails not only a  
16 prohibition on accepting or soliciting bribes but also an  
17 affirmative obligation to report known or reasonably suspected



1 corruption in a timely manner. Similarly to other professions  
2 that require mandatory reporting, such as teachers reporting  
3 when a student is suspected of being abused or neglected, public  
4 servants should be mandated to report incidents of suspected  
5 bribery, whether they are targets, bystanders, or witnesses. At  
6 its worst, failing to report bribery may be seen as aiding and  
7 abetting.

8 Accordingly, the purpose of this Act is to establish the  
9 offense of failure to report bribery as a misdemeanor.

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

13 "§710- Failure to report bribery; public servants. (1)

14 A public servant commits the offense of failure to report  
15 bribery when the public servant:

16 (a) Knows or has knowledge that:

17 (i) A person has conferred, offered, or agreed to  
18 confer, directly or indirectly, any pecuniary  
19 benefit upon the public servant pursuant to  
20 section 710-1040 (1)(a); or



(ii) Another public servant solicited, accepted, or  
agreed to accept, directly or indirectly, any  
pecuniary benefit pursuant to section 710-1040  
(1) (b); and

(b) Does not report such offense to the department of the  
attorney general or a county prosecutor's office  
within thirty days of becoming aware, with reasonable  
certainty, that an offense occurred.

(2) Failure to report bribery is a misdemeanor.

(3) For the purposes of this section, "public servant" has  
the same meaning as in section 710-1000 and includes an officer  
or employee of any branch of government that has been elected or  
appointed but is not yet occupying the position."

SECTION 3. This Act does not affect rights and duties that  
matured, penalties that were incurred, and proceedings that were  
begun before its effective date.

SECTION 4. New statutory material is underscored.

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



S.B. NO. **2824**

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INTRODUCED BY: Karl Rhoads



# S.B. NO. 2824

**Report Title:**

Failure to Report Bribery; Public Servants; Misdemeanor

**Description:**

Establishes the offense of failure to report bribery as a misdemeanor.

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

