STAND. COM. REP. NO. 2882

Honolulu, Hawaii

MAR 0 6 2026

RE: S.B. No. 2249
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Third State Legislature
Regular Session of 2026
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 2249 entitled:

"A BILL FOR AN ACT RELATING TO BRIBERY,"

begs leave to report as follows:

The purpose and intent of this measure is to establish heightened penalties for the offense of bribery under certain circumstances.

Your Committee received testimony in support of this measure from the Department of the Prosecuting Attorney of the City and County of Honolulu, Honolulu Police Department, HULI PAC, Nation of Hawai'i, Kupuna for the Mo'opuna, Greenpeace Hawaii, and thirteen individuals.

Your Committee received testimony in opposition to this measure from the Office of the Public Defender.

Your Committee finds that federal prosecutors have historically taken the lead in prosecuting state and county officials involved in bribery because federal laws have largely been more effective in use and consequence. However, state and county prosecutions for public corruption may become increasingly necessary due to the Supreme Court decision in *Snyder v. United States* which allows state and local officials to accept gratuities, tokens of appreciation after an official act.

Stronger penalties at the state level would better equip county prosecutors with the tools to prosecute public corruption or deter offenders from committing the offense of bribery. This measure will restore trust in state and county government and demonstrate that public corruption will not be tolerated.

Your Committee notes the concern raised by the Office of the Public Defender that class A felony convictions in the State carry the most severe sentencing exposure short of murder. This measure, in its current form, would escalate the penalty for bribery to a class A felony when the aggregate pecuniary benefit exceeds $20,000. To better reflect the harshness of the penalty, your Committee believes that the threshold for the aggregate pecuniary benefit should be increased. Therefore, amendments to this measure are necessary to address this concern.

Your Committee has amended this measure by:

(1) Inserting a definition of "elected or appointed official";

(2) Specifying that bribery is a class A felony if the value, or aggregate value, of the pecuniary benefit offered, conferred, or agreed to be conferred pursuant to a single scheme or course of conduct within a three-year period exceeds $50,000;

(3) Inserting an effective date of March 22, 2075, to encourage further discussion; and

(4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2249, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2249, S.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,

KARL RHOADS, Chair

The Senate
Thirty-Third Legislature
State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:*	Committee Referral:	Date:
SB 2299	JDC	2/19/26

☐ The Committee is reconsidering its previous decision on this measure.

If so, then the previous decision was to: _____

The Recommendation is:

☐ Pass, unamended 2312 ☑ Pass, with amendments 2311 ☐ Hold 2310 ☐ Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	✓			
GABBARD, Mike (VC)				✓
CHANG, Stanley	✓			
SAN BUENAVENTURA, Joy A.	✓			
AWA, Brenton	✓			
TOTAL	4			1

Recommendation: ☑ Adopted ☐ Not Adopted

Chair's or Designee's Signature:

Distribution: Original — File with Committee Report; Yellow — Committee; Pink — Drafting Agency

*Only one measure per Record of Votes

Revised: 01/02/26