
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 of or has witnessed conduct in which:

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 (ii) A person has conferred, offered, or agreed to
16 confer, directly or indirectly, any pecuniary
17 benefit upon another state elected official with



1 the intent to influence that elected official's
2 vote, opinion, judgment, exercise of discretion,
3 or other action in that elected official's
4 official capacity in violation of section 710-
5 1040(1)(a); or

6 (iii) Another state elected official has solicited,
7 accepted, or agreed, directly or indirectly, any
8 pecuniary benefit with the intent that the
9 elected official's vote, opinion, judgment,
10 exercise of discretion, or other action as an
11 elected official will thereby be influenced in
12 violation of section 710-1040(1)(b); and

13 (b) Fails to report the known or witnessed conduct within
14 sixty days after the date the elected official knew of
15 or witnessed the conduct.

16 (2) A report made in good faith within the sixty-day
17 period to any of the following shall satisfy the reporting
18 requirement under this section:

19 (a) The department of the attorney general;



- 1 (b) The prosecuting attorney of the county where the
- 2 conduct occurred or where the reporting official
- 3 serves;
- 4 (c) Any law enforcement agency with jurisdiction; or
- 5 (d) The state ethics commission or an authorized county
- 6 ethics board.

7 (3) Failure to report bribery is a misdemeanor.

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

12 SECTION 2. This Act does not affect rights and duties that
13 matured, penalties that were incurred, and proceedings that were
14 begun before its effective date.

15 SECTION 3. New statutory material is underscored.

16 SECTION 4. This Act shall take effect on July 1, 3000.



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 7/1/3000. (HD1)

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

