
A BILL FOR AN ACT

RELATING TO ADMINISTRATIVE FINES UNDER THE STATE ETHICS CODE.

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

1 SECTION 1. Chapter 84, Hawaii Revised Statutes, is amended
2 by adding a new section to be appropriately designated and to
3 read as follows:

4 "§84- Administrative fines. (a) Where an
5 administrative fine has not been established for a violation of
6 a provision of this chapter, any person, including a legislator
7 or employee, who violates a provision of this chapter shall be
8 subject to an administrative fine imposed by the ethics
9 commission that shall not exceed \$500 for each violation. All
10 fines collected under this section shall be deposited in the
11 general fund.

12 (b) No fine shall be assessed under this section unless:

13 (1) The commission convenes a hearing in accordance with
14 section 84-31(c) and chapter 91; and

15 (2) A decision has been rendered by the commission."

16 SECTION 2. Section 84-17, Hawaii Revised Statutes, is
17 amended by amending subsection (i) to read as follows:



1 "(i) Failure of a legislator, a delegate to the
2 constitutional convention, or employee to file a disclosure of
3 financial interests as required by this section shall be a
4 violation of this chapter. Any legislator, delegate to a
5 constitutional convention, or employee who fails to file a
6 disclosure of financial interests when due shall be assessed [~~a~~
7 ~~penalty~~] an administrative fine of \$50. The state ethics
8 commission shall notify a person, by registered mail, return
9 receipt requested, of the failure to file, and the disclosure of
10 financial interests shall be submitted to the commission not
11 later than 4:30 p.m. on the tenth day after notification of the
12 failure to file has been mailed to the person. If a disclosure
13 of financial interests has not been filed within ten days of the
14 due date, an additional [~~penalty~~] administrative fine of \$10 for
15 each day a disclosure remains unfiled shall be added to the
16 [~~penalty-~~] administrative fine. All [~~penalties~~] administrative
17 fines collected under this section shall be deposited in the
18 State's general fund. Any [~~monetary penalty~~] administrative
19 fine for late filing shall be in addition to any other action
20 the commission may take under this chapter for violations of the
21 state ethics code. The commission may waive any [~~penalties~~]



1 administrative fines assessed under this subsection for good
2 cause shown."

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

6 SECTION 4. Statutory material to be repealed is bracketed
7 and stricken. New statutory material is underscored.

8 SECTION 5. This Act shall take effect on July 1, 2020.



SB439
HD2

Report Title:

Ethics Code; Administrative Fines

Description:

Authorizes the State Ethics Commission to impose an administrative fine not to exceed \$500 for a violation of the state ethics law. Effective July 1, 2020. (SB439 HD2)

