

JAN 22 2007

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 disclose bribery. (1) A person
5 commits the offense of failure to disclose bribery, as the term
6 "bribery" is used in section 710-1040, if, as applicable:

7 (a) A public servant fails to disclose any act that
8 constitutes bribery under section 710-1040(1)(a); or

9 (b) Any person who, on behalf of the person's self, or on
10 behalf of any other person or entity doing business
11 with or seeking to do business with, or in the
12 preceding year has done business with or has sought to
13 do business with, a state or county department or
14 agency, fails to promptly disclose a solicitation,
15 acceptance, or agreement to accept, directly or
16 indirectly, any pecuniary benefit conferred by that



1 person, which constitutes bribery under section
2 710-1040(1)(b).

3 The disclosure shall be made to an appropriate law enforcement
4 agency, including the county prosecutor, county police chief,
5 state attorney general, or a federal law enforcement agency with
6 jurisdiction over the matter.

7 (2) Disclosure shall include a complete and accurate
8 description of all relevant information known to the person
9 making the disclosure. The law enforcement agency receiving the
10 disclosure shall maintain a written record of the disclosure.

11 (3) Failure to disclose bribery under subsection (1)(a) is
12 a class B felony. Failure to disclose bribery under subsection
13 (1)(b) is a class C felony."

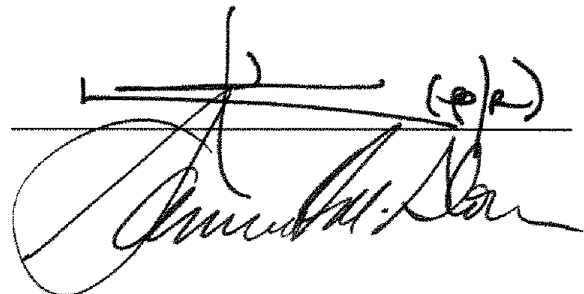
14 SECTION 2. This Act does not affect rights and duties that
15 matured, penalties that were incurred, and proceedings that were
16 begun, before its effective date.

17 SECTION 3. New statutory material is underscored.

18 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY:

 (S/R)



Report Title:

Bribery; Disclosure; Public Officers and Employees

Description:

Creates a new offense of failure to disclose bribery. Requires disclosure by a public official or employee or by a person seeking to do business with the public agency of any offer of consideration of value in return for a vote, decision, or other official action by the public official.

