

JAN 25 2012

A BILL FOR AN ACT

RELATING TO STANDARDS OF CONDUCT.

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

1 SECTION 1. Section 84-11, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "**§84-11 Gifts.** (a) No legislator or employee, except as
4 provided in subsection (b) with regard to a legislator, shall
5 solicit, accept, or receive, directly or indirectly, any gift,
6 whether in the form of money, service, loan, travel,
7 entertainment, hospitality, thing, or promise, or in any other
8 form, under circumstances in which [it can reasonably be
9 inferred that] the gift is intended to influence the legislator
10 or employee in the performance of the legislator's or employee's
11 official duties or is intended as a reward for any official
12 action on the legislator's or employee's part.

13 (b) A legislator may accept a gift of food or drink,
14 including a meal, served as part of a private industry event or
15 reception that:

16 (1) Is intended to educate or provide information to the
17 legislator about an industry or a specific business or
18 organization within an industry, including successes,



1 achievements, or issues concerning the industry,
2 business, or organization; or
3 (2) Allows a legislator to meet individuals who work with
4 or are involved in an industry or in a specific
5 business or organization or organization within an
6 industry; or on an issue concerning that industry,
7 business, or organization;
8 provided that the gift of food or drink, including a meal, under
9 this subsection shall be reported as a gift under section 84-
10 11.5, if the host of the event or reception indicates in
11 writing, such as on the invitation or announcement, that the
12 value of the gift of food or drink, including a meal, exceeds
13 \$50."

14 SECTION 2. Section 84-11.5, Hawaii Revised Statutes, is
15 amended by amending subsection (d) to read as follows:

16 "(d) Excluded from the reporting requirements of this
17 section are the following:

- 18 (1) Gifts received by will or intestate succession;
- 19 (2) Gifts received by way of distribution of any inter
20 vivos or testamentary trust established by a spouse or
21 ancestor;



- 1 (3) Gifts from a spouse, fiance, fiancée, any relative
2 within four degrees of consanguinity or the spouse,
3 fiance, or fiancée of such a relative. A gift from
4 any such person is a reportable gift if the person is
5 acting as an agent or intermediary for any person not
6 covered by this paragraph;
- 7 (4) Political campaign contributions that comply with
8 state law;
- 9 (5) Anything available to or distributed to the public
10 generally without regard to the official status of the
11 recipient;
- 12 (6) Gifts that, within thirty days after receipt, are
13 returned to the giver or delivered to a public body or
14 to a bona fide educational or charitable organization
15 without the donation being claimed as a charitable
16 contribution for tax purposes; [~~and~~]
- 17 (7) Exchanges of approximately equal value on holidays,
18 birthday, or special occasions[-]; and
- 19 (8) Gifts of certain food or drink, including meals,
20 valued at \$50 or less, pursuant to section 84-11."

21 SECTION 3. Statutory material to be repealed is bracketed
22 and stricken. New statutory material is underscored.



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

2 INTRODUCED BY: Will Ezyro



S.B. NO. 2680

Report Title:

Ethics; Gifts of Food and Drink

Description:

Removes the requirement that a gift be reasonably inferred to be intended to influence a legislator or employee in order to be prohibited under the ethics code. Allows a legislator to accept a gift of food or drink, including a meal, served as a part of a private industry reception or event under certain circumstances.

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

