

JAN 18 2013

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# A BILL FOR AN ACT

RELATING TO ETHICS.

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

1           SECTION 1. Section 84-11.5, Hawaii Revised Statutes, is  
2 amended by amending subsection (d) to read as follows:

3           "(d) Excluded from the reporting requirements of this  
4 section are the following:

- 5           (1) Gifts received by will or intestate succession;
- 6           (2) Gifts received by way of distribution of any inter  
7 vivos or testamentary trust established by a spouse or  
8 ancestor;
- 9           (3) Gifts from a spouse, fiance, fiancée, any relative  
10 within four degrees of consanguinity or the spouse,  
11 fiance, or fiancée of such a relative. A gift from  
12 any such person is a reportable gift if the person is  
13 acting as an agent or intermediary for any person not  
14 covered by this paragraph;
- 15           (4) Political campaign contributions that comply with  
16 state law;



- 1 (5) Anything available to or distributed to the public  
2 generally without regard to the official status of the  
3 recipient;
- 4 (6) Gifts that, within thirty days after receipt, are  
5 returned to the giver or delivered to a public body or  
6 to a bona fide educational or charitable organization  
7 without the donation being claimed as a charitable  
8 contribution for tax purposes; [~~and~~]
- 9 (7) Exchanges of approximately equal value on holidays,  
10 birthday, or special occasions[-]; and
- 11 (8) Gifts received by an elected or appointed official on  
12 behalf of the State; provided that the gift shall be  
13 listed in a public record as the property of the  
14 State; provided further that upon the end of the  
15 official's term of office the gift may remain with the  
16 official's agency or the agency may transfer the gift  
17 to the state archives or state foundation on culture  
18 and the arts, as appropriate."

19 SECTION 2. Statutory material to be repealed is bracketed  
20 and stricken. New statutory material is underscored.

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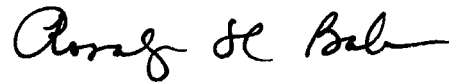


1 SECTION 3. This Act shall take effect upon its approval.

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INTRODUCED BY:







**Report Title:**

Ethics; Gift Reporting

**Description:**

Exempts from gift reporting requirements under the ethics code those gifts received by an elected or appointed official on behalf of the State; requires the gift to be recorded in a public record as the property of the State; provides that upon the end of the official's term of office the gift may remain with the official's agency or the agency may transfer the gift to the state archives or state foundation on culture and the arts, as appropriate.

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

