
A BILL FOR AN ACT

RELATING TO ETHICS.

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

1 SECTION 1. Section 84-17, Hawaii Revised Statutes, is
2 amended by amending subsections (i) and (j) to read as follows:
3 "(i) Failure of a legislator, a delegate to the
4 constitutional convention, or employee to file a disclosure of
5 financial interests as required by this section shall be a
6 violation of this chapter. Any legislator, delegate to a
7 constitutional convention, or employee who fails to file a
8 disclosure of financial interests when due shall be assessed an
9 administrative fine of [~~\$50.~~] \$75. The state ethics commission,
10 upon the expiration of the time allowed for filing, may post on
11 its website for public inspection a list of all persons who have
12 failed to file financial disclosure statements. The state
13 ethics commission shall notify a person, by [~~registered mail,~~
14 ~~return receipt requested,~~] in-person service, electronic mail to
15 the person's state electronic mail address, or first class mail,
16 of the failure to file, and the disclosure of financial
17 interests shall be submitted to the state ethics commission not
18 later than 4:30 p.m. on the tenth day after notification of the



1 failure to file has been mailed to the person. If a disclosure
2 of financial interests has not been filed within ten days of the
3 due date, an additional administrative fine of \$10 for each day
4 a disclosure remains unfiled shall be added to the
5 administrative fine. All administrative fines collected under
6 this section shall be deposited in the State's general fund.
7 Any administrative fine for late filing shall be in addition to
8 any other action the state ethics commission may take under this
9 chapter for violations of the state ethics code. The state
10 ethics commission may waive any administrative fines assessed
11 under this subsection for good cause shown.

12 (j) The chief election officer, upon receipt of the
13 nomination paper of any person seeking a state elective office,
14 including the office of delegate to the constitutional
15 convention, shall notify the state ethics commission of the name
16 of the candidate for state office and the date on which the
17 person filed the nomination paper. The state ethics commission,
18 upon the expiration of the time allowed for filing, shall
19 release to the public a list of all candidates who have failed
20 to file financial disclosure statements and shall immediately
21 assess a late filing penalty fee against those candidates of



1 [~~\$25~~] \$50, which shall be collected by the state ethics
2 commission and deposited into the general fund. The state
3 ethics commission may investigate, initiate, or receive charges
4 as to whether a candidate's financial disclosure statement
5 discloses the financial interests required to be disclosed.
6 After proceeding in conformance with section 84-31, the state
7 ethics commission may issue a decision as to whether a candidate
8 has complied with section 84-17(f) and this decision shall be a
9 matter of public record."

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

13 SECTION 3. Statutory material to be repealed is bracketed
14 and stricken. New statutory material is underscored.

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



Report Title:

State Ethics Commission; Financial Disclosure Statements;
Notice; Administrative Fine

Description:

Authorizes the state ethics commission to post on its website for public inspection, the names of legislators, delegates to the constitutional convention, or certain employees who fail to file their financial disclosure statements by the statutory deadline. Allows the state ethics commission to use in-person service, electronic mail, or first-class mail to notify legislators, delegates to the constitutional convention, or certain employees who fail to timely file their financial disclosure statements. Increases the administrative fine and late penalty fee for failure to timely file financial disclosure statements. (HB852 CD1)

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