

JAN 21 2022

A BILL FOR AN ACT

RELATING TO GIFTS.

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

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

"§84-11 Gifts[-]; exceptions. (a) No legislator or employee shall solicit, accept, or receive, directly or indirectly, any gift, whether in the form of money, service, loan, travel, entertainment, hospitality, thing, or promise, or in any other form, under circumstances in which it can reasonably be inferred that the gift is intended to influence the legislator or employee in the performance of the legislator's or employee's official duties or is intended as a reward for any official action on the legislator's or employee's part[-]; provided that the unsolicited acceptance or receipt of the following gifts shall not be prohibited pursuant to this section:

(1) Foreign protocol gifts;

(2) Gifts of aloha;



1 (3) Invitations extended to a legislator to attend an
2 event held to benefit an organization whose mission
3 and purpose is to promote a charitable cause or the
4 common good and general welfare of the community, at
5 which the legislator's attendance is expected or
6 deemed appropriate in relation to the performance of
7 traditional duties of a legislator; provided further
8 that the legislator or the legislator's designated
9 representative attending the event shall not accept or
10 receive any gifts, including prizes, at or in relation
11 to the event, other than the meal provided at the
12 event; and

13 (4) Meals with a fair market value of no more than
14 \$_____.

15 (b) As used in this section:

16 "Foreign protocol gifts" means tangible items offered by a
17 foreign government or an agent of a foreign government to a
18 legislator who represents the State or the legislature for
19 protocol purposes and accepted by the legislator on behalf of
20 the State or the legislature for the purpose of promoting
21 international good will between the State of Hawaii and the



1 foreign government; provided that durable items that have a fair
2 market value exceeding \$ shall belong to the State and
3 not the individual recipient."

4 "Gifts of aloha" means tangible items offered as a token of
5 aloha or appreciation that are:

6 (1) Of a perishable nature, including manapua, malasada,
7 plate lunches, bento, and other raw or prepared food,
8 lei made of flowers or seeds, and other flower
9 arrangements, with a fair market value of

10 \$ or less, singularly or in the aggregate;
11 and

12 (2) Of a durable nature, offered to a legislator or
13 employee to honor the legislator or employee,
14 including plaques; framed certificates, drawings, and
15 photographs; and other ceremonial items that do not
16 have resale value."

17 SECTION 2. If any provision of this Act, or the
18 application thereof to any person or circumstance, is held
19 invalid, the invalidity does not affect other provisions or
20 applications of the Act that can be given effect without the



S.B. NO. 2714

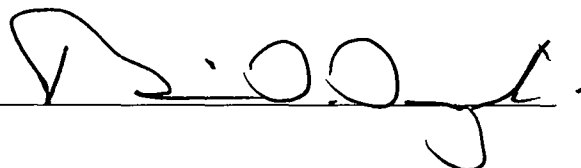
1 invalid provision or application, and to this end the provisions
2 of this Act are severable.

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

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

6

INTRODUCED BY:





S.B. NO. 2714

Report Title:

Gifts; Standards of Conduct; Code of Ethics; Exceptions; Foreign Protocol Gifts; Gifts of Aloha; Invitation to Events

Description:

Excludes from the State Code of Ethics' prohibition against acceptance of gifts by legislators and employees, foreign protocol gifts, gifts of aloha, invitations to certain events, and meals, under certain conditions. Defines foreign protocol gifts and gifts of aloha.

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