
A BILL FOR AN ACT

RELATING TO GIFTS FROM LOBBYISTS.

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

1 SECTION 1. The legislature finds that the house of
2 representatives adopted House Resolution No. 9 (2022) to
3 establish the commission to improve standards of conduct. The
4 resolution requests the commission ensure state laws and rules
5 relating to standards of conduct of public officers and
6 employees contain clear standards, enforcement, and penalties
7 and provide recommendations to increase awareness of, compliance
8 with, and deterrent effects of the code of ethics, lobbying
9 laws, campaign finance laws, and other relevant laws and rules.

10 Pursuant to House Resolution No. 9, the commission to
11 improve standards of conduct convened regularly throughout 2022
12 to diligently review, discuss, and consider the issues
13 presented, submitted an interim report to the house of
14 representatives outlining areas of immediate and long-term
15 focus, then continued its work with input from the public and
16 invited individuals and agencies to issue a final report with
17 various recommendations and accompanying proposed legislation.



H.B. NO.

1 The legislature also finds that the strength and stability
2 of our democratic government rely upon the public's trust in
3 government institutions, including the expectation that officers
4 act ethically with prudence, integrity, and sound judgement.
5 Therefore, an essential goal of the commission was to provide
6 recommendations that would help restore public trust in state
7 government and increase the level of transparency in its
8 operations and accountability of individuals.

9 Accordingly, the purpose of this Act is to implement
10 recommendations of the commission to improve standards of
11 conduct by prohibiting lobbyists from making certain gifts to
12 legislators and state employees.

13 SECTION 2. Chapter 97, Hawaii Revised Statutes, is amended
14 by adding a new section to be appropriately designated and to
15 read as follows:

16 "§97- Unlawful gifts by lobbyists. (a) It shall be
17 unlawful for a lobbyist or any person or entity required to file
18 a statement of expenditures under section 97-3 to make gifts to
19 a legislator or employee that are prohibited by section 84-11 or
20 title 21 Hawaii Administrative Rules chapter 7.



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1 (b) For the purposes of this section, "employee" shall
2 have the same meaning as defined in section 84-3."

3 SECTION 3. Section 97-7, Hawaii Revised Statutes, is
4 amended by amending subsection (a) to read as follows:

5 "(a) Any person ~~[who:]~~ or entity that:

6 (1) Negligently fails to file any statement or report
7 required by this chapter;

8 (2) Negligently files a statement or report containing
9 false information or material omission of any fact;

10 (3) Engages in activities prohibited by section 97-5; ~~[or]~~

11 (4) Fails to provide information required by section 97-2
12 or 97-3; or

13 (5) Makes a gift in violation of section 97- ;

14 shall be subject to an administrative fine imposed by the state
15 ethics commission that shall not exceed \$1,000 for each
16 violation of this chapter. All fines collected under this
17 section shall be deposited into the general fund."

18 SECTION 4. This Act does not affect rights and duties that
19 matured, penalties that were incurred, and proceedings that were
20 begun before its effective date.



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1 SECTION 5. If any provision of this Act, or the
2 application thereof to any person or circumstance, is held
3 invalid, the invalidity does not affect other provisions or
4 applications of the Act that can be given effect without the
5 invalid provision or application, and to this end the provisions
6 of this Act are severable.

7 SECTION 6. Statutory material to be repealed is bracketed
8 and stricken. New statutory material is underscored.

9 SECTION 7. This Act shall take effect upon its approval.

10

INTRODUCED BY: _____



H.B. NO.

Report Title:

Commission to Improve Standards of Conduct; Lobbyists; Gifts; Legislators; State Employees; Administrative Fine

Description:

Prohibits lobbyists from making prohibited gifts to legislators and state employees. Imposes administrative fines for violations.

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

