



GOV. MSG. NO. 1290

EXECUTIVE CHAMBERS
KE KE'ENA O KE KIA'ĀINA

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA

July 3, 2024

The Honorable Ronald D. Kouchi
President of the Senate,
and Members of the Senate
Thirty-Second State Legislature
State Capitol, Room 409
Honolulu, Hawai'i 96813

The Honorable Scott K. Saiki
Speaker, and Members of the
House of Representatives
Thirty-Second State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

This is to inform you that on July 3, 2024, the following bill was signed into law:

SB2217 HD1 CD1

RELATING TO REPORTING PERIODS.
ACT 189

Sincerely,

Josh Green, M.D.
Governor, State of Hawai'i

A BILL FOR AN ACT

RELATING TO REPORTING PERIODS.

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

1 PART I

2 SECTION 1. The purpose of this Act is to amend portions of
3 chapters 84 and 97 of the Hawaii Revised Statutes to provide
4 greater uniformity, efficiency, and effectiveness in the
5 administration and enforcement of the state ethics code and
6 state lobbyists law by:

- 7 (1) Establishing a phased process for adjusting the
8 reporting period for gift disclosures filed with the
9 state ethics commission to conform with the state
10 fiscal year; and
11 (2) Providing for the electronic filing of statements
12 required by the state ethics commission.

13 PART II

14 SECTION 2. Section 84-11.5, Hawaii Revised Statutes, is
15 amended to read as follows:

16 "**§84-11.5 Reporting of gifts.** (a) Every legislator and
17 employee shall file a gifts disclosure statement with the state



1 ethics commission no later than [~~June 30~~] July 31 of each year
2 if all the following conditions are met:

3 (1) The legislator or employee, or spouse or dependent
4 child of a legislator or employee, received directly
5 or indirectly from one source any gift or gifts valued
6 singly or in the aggregate in excess of \$200, whether
7 the gift is in the form of money, service, goods, or
8 in any other form;

9 (2) The source of the gift or gifts have interests that
10 may be affected by official action or lack of action
11 by the legislator or employee; and

12 (3) The gift is not exempted by subsection (d) from
13 reporting requirements under this subsection.

14 (b) The report shall cover the period from June 1 of the
15 preceding calendar year through [~~May 31~~] June 30 of the year of
16 the report.

17 (c) The gifts disclosure statement shall contain the
18 following information:

19 (1) A description of the gift;

20 (2) A good faith estimate of the value of the gift;

21 (3) The date the gift was received; and



1 (4) The name of the person, business entity, or
2 organization from whom, or on behalf of whom, the gift
3 was received.

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

6 (1) Gifts received by will or intestate succession;

7 (2) Gifts received by way of distribution of any inter
8 vivos or testamentary trust established by a spouse or
9 ancestor;

10 (3) Gifts from a spouse, [~~fiancee, fiancée,~~] betrothed, or
11 any relative within four degrees of consanguinity or
12 the spouse[~~, fiancée, or fiancée~~] or betrothed of such
13 a relative. A gift from any such person is a
14 reportable gift if the person is acting as an agent or
15 intermediary for any person not covered by this
16 paragraph;

17 (4) Political campaign contributions that comply with
18 state law;

19 (5) Anything available to or distributed to the public
20 generally without regard to the official status of the
21 recipient;



1 (6) Gifts that, within thirty days after receipt, are
2 returned to the giver or delivered to a public body or
3 to a bona fide educational or charitable organization
4 without the donation being claimed as a charitable
5 contribution for tax purposes; and

6 (7) Exchanges of approximately equal value on holidays,
7 birthday, or special occasions.

8 (e) Failure of a legislator or employee to file a gifts
9 disclosure statement as required by this section shall be a
10 violation of this chapter.

11 (f) This section shall not affect the applicability of
12 section 84-11.

13 (g) The state ethics commission shall provide a method for
14 filing gift disclosure statements. The commission may require
15 that gift disclosure statements be filed electronically.

16 [~~g~~] (h) For purposes of this section, "legislator or
17 employee" includes any individual who was a legislator or
18 employee for any portion of the period from June 1 of the
19 preceding calendar year through [~~May 31~~] June 30 of the year of
20 the report."



1 PART III

2 SECTION 3. Section 84-11.5, Hawaii Revised Statutes, is
3 amended to read as follows:

4 "**§84-11.5 Reporting of gifts.** (a) Every legislator and
5 employee shall file a gifts disclosure statement with the state
6 ethics commission no later than [~~June 30~~] July 31 of each year
7 if all the following conditions are met:

8 (1) The legislator or employee, or spouse or dependent
9 child of a legislator or employee, received directly
10 or indirectly from one source any gift or gifts valued
11 singly or in the aggregate in excess of \$200, whether
12 the gift is in the form of money, service, goods, or
13 in any other form;

14 (2) The source of the gift or gifts have interests that
15 may be affected by official action or lack of action
16 by the legislator or employee; and

17 (3) The gift is not exempted by subsection (d) from
18 reporting requirements under this subsection.

19 (b) The report shall cover the period from [~~June 1~~] July 1
20 of the preceding calendar year through [~~May 31~~] June 30 of the
21 year of the report.



1 (c) The gifts disclosure statement shall contain the
2 following information:

- 3 (1) A description of the gift;
4 (2) A good faith estimate of the value of the gift;
5 (3) The date the gift was received; and
6 (4) The name of the person, business entity, or
7 organization from whom, or on behalf of whom, the gift
8 was received.

9 (d) Excluded from the reporting requirements of this
10 section are the following:

- 11 (1) Gifts received by will or intestate succession;
12 (2) Gifts received by way of distribution of any inter
13 vivos or testamentary trust established by a spouse or
14 ancestor;
15 (3) Gifts from a spouse, [~~fiancee, fiancée,~~] betrothed, or
16 any relative within four degrees of consanguinity or
17 the spouse[, ~~fiancee, or fiancée~~] or betrothed of such
18 a relative. A gift from any such person is a
19 reportable gift if the person is acting as an agent or
20 intermediary for any person not covered by this
21 paragraph;



- 1 (4) Political campaign contributions that comply with
2 state law;
- 3 (5) Anything available to or distributed to the public
4 generally without regard to the official status of the
5 recipient;
- 6 (6) Gifts that, within thirty days after receipt, are
7 returned to the giver or delivered to a public body or
8 to a bona fide educational or charitable organization
9 without the donation being claimed as a charitable
10 contribution for tax purposes; and
- 11 (7) Exchanges of approximately equal value on holidays,
12 birthday, or special occasions.
- 13 (e) Failure of a legislator or employee to file a gifts
14 disclosure statement as required by this section shall be a
15 violation of this chapter.
- 16 (f) This section shall not affect the applicability of
17 section 84-11.
- 18 (g) The state ethics commission shall provide a method for
19 filing gift disclosure statements. The commission may require
20 that gift disclosure statements be filed electronically.



1 [~~(g)~~] (h) For purposes of this section, "legislator or
2 employee" includes any individual who was a legislator or
3 employee for any portion of the period from [~~June 1~~] July 1 of
4 the preceding calendar year through [~~May 31~~] June 30 of the year
5 of the report."

6 PART IV

7 SECTION 4. Section 97-4, Hawaii Revised Statutes, is
8 amended to read as follows:

9 "**§97-4 Manner of filing; public records.** All statements
10 required by this chapter to be filed with the state ethics
11 commission:

12 (1) Shall be [~~deemed properly filed when delivered or~~
13 ~~deposited in an established post office within the~~
14 ~~prescribed time; duly stamped, registered, or~~
15 ~~certified; and directed to] filed electronically with
16 the state ethics commission[~~; provided that in the~~
17 ~~event it is not received, a duplicate of the statement~~
18 ~~shall be promptly filed upon notice by the state~~
19 ~~ethics commission of its nonreceipt; and] using an
20 electronic filing system, or any other forms and
21 methods established by the state ethics commission;~~~~



1 (2) Shall be maintained by the state ethics commission for
2 a period of no less than six years from the date of
3 filing; and shall constitute part of the public
4 records of the state ethics commission[-]; and

5 (3) Shall be posted on the state ethics commission's
6 website within a reasonable time after filing and may
7 be removed from the website after six years."

8 SECTION 5. Section 97-4.5, Hawaii Revised Statutes, is
9 repealed.

10 [~~"§97-4.5 Lobbyist list. All lobbyist registration~~
11 ~~statements shall be posted on the state ethics commission's~~
12 ~~website within a reasonable time after filing, and may be~~
13 ~~removed from the website after four years."]~~

14 PART V

15 SECTION 6. This Act does not affect rights and duties that
16 matured, penalties that were incurred, and proceedings that were
17 begun before its effective date.

18 SECTION 7. Statutory material to be repealed is bracketed
19 and stricken. New statutory material is underscored.

20 SECTION 8. This Act shall take effect upon its approval;
21 provided that:

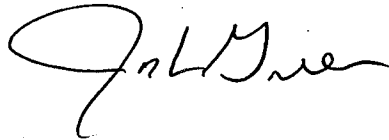


- 1 (1) Part II shall take effect on July 1, 2024; and
- 2 (2) Part III shall take effect on July 1, 2025.



S.B. NO. 2217
H.D. 1
C.D. 1

APPROVED this **3rd** day of **July**, 2024

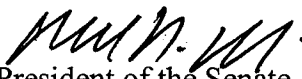
A handwritten signature in black ink, appearing to read "Josh Green". The signature is written in a cursive, flowing style.


GOVERNOR OF THE STATE OF HAWAII

THE SENATE OF THE STATE OF HAWAI‘I

Date: May 1, 2024
Honolulu, Hawai‘i 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the Senate of the Thirty-Second Legislature of the State of Hawai‘i, Regular Session of 2024.


President of the Senate


Clerk of the Senate

SB No. 2217, HD 1, CD 1

THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: May 1, 2024
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Thirty-Second Legislature of the State of Hawaii, Regular Session of 2024.



Scott K. Saiki
Speaker
House of Representatives



Brian L. Takeshita
Chief Clerk
House of Representatives