



# GOV. MSG. NO. 1312

EXECUTIVE CHAMBERS  
KE KE'ENA O KE KIA'ĀINA

JOSH GREEN, M.D.  
GOVERNOR  
KE KIA'ĀINA

July 5, 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 5, 2024, the following bill was signed into law:

SB2693 SD2 HD1 CD1

RELATING TO STATES OF EMERGENCY.  
**ACT 211**

Sincerely,

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

---

---

# A BILL FOR AN ACT

RELATING TO STATES OF EMERGENCY.

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

1 SECTION 1. Chapter 127A, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:

4 "§127A- Charitable fraud during a state of emergency.

5 (a) A person commits the offense of charitable fraud during a  
6 state of emergency if, during a state of emergency declared by  
7 the governor under section 127A-14(a), the person intentionally,  
8 knowingly, or recklessly performs any of the following actions  
9 in connection with a solicitation or acceptance of a  
10 contribution to assist a disaster victim:

11 (1) The person uses any deceptive act or practice, false  
12 pretense, false promise, or misrepresentation in  
13 connection with the solicitation of a contribution;

14 (2) The person misrepresents, misleads, or omits  
15 information concerning the intended uses of  
16 contributions; or



1       (3) The person uses contributions in a manner other than  
2           the specific purposes represented by the solicitor at  
3           the time the contribution was solicited.

4       (b) Charitable fraud during a state of emergency is a:

5       (1) Class B felony if the value of contributions obtained  
6           or attempted to be obtained is \$20,000 or more;

7       (2) Class C felony if the value of contributions obtained  
8           or attempted to be obtained is more than \$750 and less  
9           than \$20,000; or

10       (3) Misdemeanor if the value of contributions obtained or  
11           attempted to be obtained is \$750 or less.

12       (c) For purposes of this section:

13       "Contribution" includes money, credit or debit card  
14       transactions, online payments, payments made through a third  
15       party, goods, services, or anything else of value, whether  
16       tangible or intangible.

17       "Disaster victim" means any person adversely affected by  
18       the disaster or emergency that caused the governor to declare a  
19       state of emergency.

20       "Solicit" or "solicitation" means a request directly or  
21       indirectly for contributions on the plea or misrepresentation



1 that the contributions, or any portion thereof, will be used for  
2 disaster relief, be used to benefit disaster victims, or go to a  
3 charitable organization engaged in assisting disaster victims.

4 A person "solicits", or a "solicitation" occurs, regardless of  
5 whether the person making the solicitation receives any  
6 contribution. "Solicit" or "solicitation" includes the  
7 following:

- 8 (1) Any oral or written request, or request made by  
9 electronic message, electronic mail, blog, post, or  
10 any other form of electronic communications;
- 11 (2) The making of any announcement to any organization for  
12 the purpose of further dissemination, including  
13 announcements to the press, over the radio or  
14 television, or by telephone, telegraph, the Internet,  
15 social media, or facsimile, concerning an appeal or  
16 campaign by or for disaster relief, to benefit  
17 disaster victims, or any charitable organization  
18 engaged in assisting disaster victims;
- 19 (3) The distribution, circulation, posting, or publishing  
20 of any handbill, written advertisement, or other



- 1           publication that directly or by implication seeks to  
2           obtain public support;
- 3       (4)   Where the sale, or offer or attempted sale, of any  
4           advertisement, advertising space, book, card, tag,  
5           coupon, device, magazine, membership, merchandise,  
6           subscription, flower, ticket, candy, cookies, or other  
7           tangible item in connection with which any appeal is  
8           made for disaster relief, to benefit disaster victims,  
9           or any charitable organization engaged in assisting  
10          disaster victims; or where the name of any disaster,  
11          disaster victims, or charitable organization engaged  
12          in assisting disaster victims is used or referred to  
13          in any appeal as an inducement or reason for making  
14          any sale; or where in connection with any sale, any  
15          statement is made that the whole or any part of the  
16          proceeds from any sale will be used for disaster  
17          relief, to benefit disaster victims, or go to a  
18          charitable organization engaged in assisting disaster  
19          victims; and
- 20       (5)   A request made through the use of receptacles for  
21          contributions such as honor boxes, vending machines,



1           wishing wells, contribution boxes, and novelty  
2           machines, where a charitable appeal is used or  
3           referred to or implied as an inducement or reason to  
4           contribute."

5           SECTION 2. New statutory material is underscored.

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



S.B. NO. 2693  
S.D. 2  
H.D. 1  
C.D. 1

APPROVED this **5th** day of **July**, 2024

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


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. 2693, SD 2, 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