
A BILL FOR AN ACT

RELATING TO FALSE CLAIMS.

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, Regular Session
3 of 2022, to establish the commission to improve standards of
4 conduct. The resolution requests that the commission ensure
5 state laws and rules relating to standards of conduct of public
6 officers and employees contain clear standards, enforcement, and
7 penalties and provide recommendations to increase awareness of,
8 compliance with, and deterrent effects of the code of ethics,
9 lobbying laws, campaign finance laws, and other relevant laws
10 and rules.

11 Pursuant to House Resolution No. 9, the commission to
12 improve standards of conduct convened regularly throughout 2022
13 to diligently review, discuss, and consider the issues
14 presented; submit an interim report to the house of
15 representatives outlining areas of immediate and long-term
16 focus; receive input from the public and invited individuals and



1 agencies; and issue a final report with various recommendations
2 and accompanying proposed legislation.

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

11 Accordingly, the purpose of this Act is to implement
12 recommendations of the commission to improve standards of
13 conduct relating to combatting fraud, waste, and corruption by
14 establishing the offense of making a false, fictitious, or
15 fraudulent claim against the State or a county. This Act also
16 disqualifies a person convicted of making a false, fictitious,
17 or fraudulent claim against the State or a county from holding
18 elected office for a period of five years.

19 SECTION 2. Chapter 710, Hawaii Revised Statutes, is
20 amended by adding a new section to be appropriately designated
21 and to read as follows:



1 "§710- False, fictitious, or fraudulent claims. (1) A
2 person commits the offense of making a false, fictitious, or
3 fraudulent claim against the government if the person makes or
4 presents to any agent of the government, any claim material upon
5 or against the government that the person knows to be false,
6 fictitious, or fraudulent.

7 (2) As used in this section:

8 (a) "Claim" and "material" shall have the same meaning as
9 those terms are defined in section 661-21.

10 (b) "Government" shall have the same meaning as defined in
11 section 710-1000.

12 (3) Making a false, fictitious, or fraudulent claim
13 against the State or a county is a class C felony. A person who
14 is convicted under this section shall be disqualified from
15 holding elected office for five years from the date of
16 conviction."

17 SECTION 3. This Act does not affect rights and duties that
18 matured, penalties that were incurred, and proceedings that were
19 begun before its effective date.

20 SECTION 4. New statutory material is underscored.

21 SECTION 5. This Act shall take effect on March 22, 2075.



Report Title:

Commission to Improve Standards of Conduct; False, Fictitious, or Fraudulent Claims; State; Counties; Penalties; Public Financing; Conviction

Description:

Makes it a class C felony to make false, fictitious, or fraudulent claims against the government. Disqualifies a person convicted of making a false, fictitious, or fraudulent claim from holding elected office for five years. Takes effect 3/22/2075. (SD1)

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

