

ACT 10

H.B. NO. 142

A Bill for an Act Relating to Gifts from Lobbyists.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. The purpose of this Act is to improve standards of conduct by prohibiting lobbyists from making certain gifts to legislators and state employees.

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

“§97- Unlawful gifts by lobbyists. (a) It shall be unlawful for a lobbyist or any person or entity required to file a statement of expenditures under section 97-3 to make a gift to a legislator or employee that is prohibited by section 84-11 or title 21, chapter 7 of the Hawaii administrative rules.

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

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

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

- (1) Negligently fails to file any statement or report required by this chapter;
- (2) Negligently files a statement or report containing false information or material omission of any fact;
- (3) Engages in activities prohibited by section 97-5; ~~[or]~~
- (4) Fails to provide information required by section 97-2 or 97-3; or
- (5) Makes a gift in violation of section 97- ;

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

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

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

SECTION 6. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.¹

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

(Approved March 31, 2023.)

Note

1. Edited pursuant to HRS §23G-16.5.