



STATE OF HAWAII
CAMPAIGN SPENDING COMMISSION

235 SOUTH BERETANIA STREET, ROOM 300
HONOLULU, HAWAII 96813

February 17, 2021

TO: The Honorable Karl Rhoads, Chair
Senate Committee on Judiciary

The Honorable Jarrett Keohokalole, Vice Chair
Senate Committee on Judiciary

Members of the Senate Committee on Judiciary

FROM: Kristin Izumi-Nitao, Executive Director KE
Campaign Spending Commission

SUBJECT: **Testimony on S.B. No. 635, Relating to Elections.**

Friday, February 19, 2021
9:30 a.m., Via Videoconference

Thank you for the opportunity to testify on this bill.¹ The Campaign Spending Commission (“Commission”) supports this bill.

This measure amends Hawaii Revised Statutes (“HRS”) §11-411 by permitting the Commission to refer a complaint for prosecution in addition to any administrative determination and without the requirement that the Commission believes that the respondent has acted intentionally, knowingly, or recklessly committed a violation. The bill amends HRS §11-412(c) by increasing the period of disqualification to hold public office from four to ten years upon conviction of a campaign spending law violation. The bill also repeals language stating that criminal prosecution does not apply to any person who has paid or agreed to pay the fines prescribed by HRS §11-340 (late reports) and 11-391(b) (advertising disclaimer).

This bill will enhance the efficiency of the administrative complaint process. Currently, the Commission is not allowed to simultaneously fine a respondent and refer a complaint for prosecution. The Commission must first refer the matter for prosecution and if the prosecutor declines prosecution, then the matter comes back to the Commission for civil adjudication. Sometimes, this process has taken over two years after the referral for prosecution.

¹ The companion bill is H.B. No. 655.

SB-635

Submitted on: 2/17/2021 4:52:13 PM

Testimony for JDC on 2/19/2021 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Andrea Quinn	Individual	Support	No

Comments:

Dear Honorable Committee Members,

Please support SB635.

Thank you,

Andrea Quinn