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# A BILL FOR AN ACT

RELATING TO CAMPAIGN FINANCE.

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

1           SECTION 1. Section 11-314, Hawaii Revised Statutes, is  
2 amended to read as follows:

3           "**§11-314 Duties of the commission[-]; operating expenses.**

4           (a) The duties of the commission under this part are to:

5           (1) Develop and adopt forms required by this part;

6           (2) Adopt and publish a manual for all candidates,  
7 candidate committees, and noncandidate committees,  
8 describing the requirements of this part, including  
9 uniform and simple methods of recordkeeping;

10          (3) Preserve all reports required by this part for at  
11 least ten years from the date of receipt by the  
12 commission;

13          (4) Permit the inspection, copying, or duplication of any  
14 report required by this part pursuant to rules adopted  
15 by the commission under chapter 91; provided that this  
16 paragraph shall not apply to the sale or use of  
17 information under section 11-344;



- 1           (5) Ascertain whether any person has failed to file a  
2           report required by this part or has filed a  
3           substantially defective or deficient report. The  
4           commission shall notify the person by first class mail  
5           that a fine may be assessed for the failure to file or  
6           the filing of a substantially defective or deficient  
7           report, and the defective or deficient report shall be  
8           corrected and explained. All fines collected under  
9           this section as authorized by sections 11-340 and  
10           11-410 shall be deposited in the [~~general fund of the~~  
11           State,] Hawaii election campaign fund under section  
12           11-421;
- 13           (6) Hold public hearings;
- 14           (7) Investigate and hold hearings for receiving evidence  
15           of any violations pursuant to subpart I of this part;
- 16           (8) Adopt rules pursuant to chapter 91;
- 17           (9) Request the initiation of prosecution for the  
18           violation of this part pursuant to section 11-411;
- 19           (10) Administer and monitor the distribution of public  
20           funds under this part;



- 1 (11) Suggest accounting methods for candidates, candidate  
2 committees, or noncandidate committees in connection  
3 with reports and records required by this part;
- 4 (12) Employ or contract with, without regard to chapters  
5 76, 78, and 89, persons it finds necessary for the  
6 performance of its functions, including a full-time  
7 executive director, and to fix their compensation;  
8 provided that the commission shall have the authority,  
9 at its discretion, to dismiss persons employed by or  
10 contracted with the commission;
- 11 (13) Conduct random audits and field investigations, as  
12 necessary; and
- 13 (14) File for injunctive relief when indicated.
- 14 (b) The operating expenses of the commission, including  
15 staff salaries and fringe benefits, shall be paid for out of the  
16 general revenues of the state."
- 17 SECTION 2. Section 11-340, Hawaii Revised Statutes, is  
18 amended by amending subsection (g) to read as follows:
- 19 "(g) All fines collected under this section shall be  
20 deposited into the [~~general fund.~~] Hawaii election campaign fund  
21 under section 11-421."



1 SECTION 3. Section 11-391, Hawaii Revised Statutes, is  
2 amended by amending subsection (b) to read as follows:

3 "(b) The fine for violation of this section, if assessed  
4 by the commission, shall not exceed \$25 for each advertisement  
5 that lacks the information required by this section or provides  
6 prohibited information, and shall not exceed an aggregate amount  
7 of \$5,000. All fines collected under this section shall be  
8 deposited in the Hawaii election campaign fund under section  
9 11-421."

10 SECTION 4. Section 11-410, Hawaii Revised Statutes, is  
11 amended by amending subsection (e) to read as follows:

12 "(e) Any administrative fine collected by the commission  
13 shall be deposited in the [~~general fund of the State.~~] Hawaii  
14 election campaign fund under section 11-421."

15 SECTION 5. Section 11-421, Hawaii Revised Statutes, is  
16 amended by amending subsections (b) and (c) to read as follows:

17 "(b) The fund shall consist of:

18 (1) All moneys collected from persons who have designated  
19 a portion of their income tax liability to the fund as  
20 provided in section 235-102.5(a);

21 (2) Any general fund appropriations; [~~and~~]



1       (3) All fees collected pursuant to sections 11-340,  
2               11-391, and 11-410; and  
3       ~~[(3)]~~ (4) Other moneys collected pursuant to this part.  
4       (c) Moneys in the fund shall be paid to candidates by the  
5       comptroller as prescribed in section 11-431 ~~[and may be used for~~  
6       ~~the commission's operating expenses, including staff salaries~~  
7       ~~and fringe benefits]."~~

8       SECTION 6. There is appropriated out of the general  
9       revenues of the State of Hawaii the sum of \$                or so much  
10       thereof as may be necessary for fiscal year 2015-2016 and the  
11       same sum or so much thereof as may be necessary for fiscal year  
12       2016-2017 for the operating expenses, including investigation  
13       expenses, of the campaign spending commission.

14       The sums appropriated shall be expended by the campaign  
15       spending commission for the purposes of this Act.

16       SECTION 7. Statutory material to be repealed is bracketed  
17       and stricken. New statutory material is underscored.

18       SECTION 8. This Act shall take effect on January 7, 2059.



**Report Title:**

Campaign Finance; Hawaii Election Campaign Fund; Fees;  
Appropriation

**Description:**

Requires the deposit of any fees assessed by the campaign spending commission into the Hawaii election campaign fund. Authorizes payment of the commission's operating expenses from the general fund and appropriates funds for operating expenses, including investigation expenses. (SB577 HD1)

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

