

JAN 19 2018

A BILL FOR AN ACT

RELATING TO VIOLATIONS OF CAMPAIGN FINANCE LAW.

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

SECTION 1. Section 11-410, Hawaii Revised Statutes, is amended as follows:

1. By amending subsection (a) to read:

"(a) The commission may make a decision or issue an order, affecting any person violating any provision of this part [~~or section 281-22~~], that may provide for the assessment of an administrative fine as follows:

- (1) If [~~an individual,~~] a person other than a noncandidate committee that makes only independent expenditures, an amount not to exceed \$1,000 for each occurrence or an amount [~~equivalent to~~] not to exceed three times the amount of an unlawful contribution or expenditure; or
- (2) If a [~~corporation, organization, association, or labor union,~~] noncandidate committee that makes only independent expenditures and has either received at least one contribution of more than \$10,000 from any one person or has made expenditures of more than



1 \$10,000 in the aggregate, in an election period, an
2 amount not to exceed [~~\$1,000~~] \$5,000 for each
3 occurrence[~~7~~] or an amount not to exceed three times
4 the amount of an unlawful contribution or expenditure.

5 ~~[provided that whenever a corporation, organization,~~
6 ~~association, or labor union violates this part, the violation~~
7 ~~may be deemed to be also that of the individual directors,~~
8 ~~officers, or agents of the corporation, organization,~~
9 ~~association, or labor union, who have knowingly authorized,~~
10 ~~ordered, or done any of the acts constituting the violation.] "~~

11 2. By amending subsection (c) to read:

12 "(c) If an administrative fine is imposed upon a
13 candidate[~~7~~] or noncandidate committee, the commission may order
14 that the fine, or any portion[~~7~~] of the fine, be paid from the
15 ~~[candidate's]~~ personal funds[~~7~~] of the candidate or officers of
16 the noncandidate committee."

17 3. By amending subsection (h) to read:

18 "(h) This section shall not apply to any person who,
19 ~~[prior to]~~ before the commencement of proceedings under this
20 section, has paid or agreed to pay the fines prescribed by
21 sections 11-340 and 11-391(b)."



S.B. NO. 2151

1 SECTION 2. This Act does not affect rights and duties that
2 matured, penalties that were incurred, and proceedings that were
3 begun before its effective date.

4 SECTION 3. Statutory material to be repealed is bracketed
5 and stricken. New statutory material is underscored.

6 SECTION 4. This Act shall take effect upon its approval.

7

INTRODUCED BY: 
By Request



S.B. NO. 2151

Report Title:

Campaign Spending Commission Package; Fines; Noncandidate Committees

Description:

Increases the amount of the fine that may be assessed against a noncandidate committee making only independent expenditures for campaign spending violations. Allows the Campaign Spending Commission to order that a fine assessed against a noncandidate committee, or any portion thereof, be paid from the personal funds of officers of the noncandidate committee.

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

