
A BILL FOR AN ACT

RELATING TO CRIMINAL PROSECUTION UNDER CAMPAIGN FINANCE LAW.

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

1 SECTION 1. Section 11-412, Hawaii Revised Statutes, is
2 amended by amending subsection (b) to read as follows:

3 "(b) Any person who knowingly or intentionally falsifies
4 any report required by this part with the intent to circumvent
5 the law or deceive the commission or who violates section 11-352
6 or 11-353 shall be guilty of a class C felony. A person charged
7 with a class C felony shall not be eligible for a deferred
8 acceptance of guilty plea or nolo contendere plea under chapter
9 853. The applicable period of limitation for a prosecution
10 under this subsection shall not commence until the discovery of
11 the offense by the commission."

12 SECTION 2. Section 701-108, Hawaii Revised Statutes, is
13 amended by amending subsection (2) to read as follows:

14 "(2) Except as otherwise provided [~~in this section,~~] by
15 law, prosecutions for other offenses are subject to the
16 following periods of limitation:



- 1 (a) A prosecution for manslaughter where the death was not
2 caused by the operation of a motor vehicle must be
3 commenced within ten years after it is committed;
- 4 (b) A prosecution for a class A felony must be commenced
5 within six years after it is committed;
- 6 (c) A prosecution for any felony under part IX of chapter
7 708 must be commenced within five years after it is
8 committed;
- 9 (d) A prosecution for any other felony must be commenced
10 within three years after it is committed; provided
11 that the period of limitation for a prosecution under
12 section 11-412(b) shall commence pursuant to that
13 subsection;
- 14 (e) A prosecution for a misdemeanor or parking violation
15 must be commenced within two years after it is
16 committed; and
- 17 (f) A prosecution for a petty misdemeanor or a violation
18 other than a parking violation must be commenced
19 within one year after it is committed."



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 Statutory material to be repealed is bracketed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

6 SECTION 5. This Act shall take effect on January 7, 2059.

7



Report Title:

Campaign Spending Commission Package; Criminal Prosecution;
Period of Limitation

Description:

Provides that the period of limitation for a prosecution under the law relating to falsifying a campaign spending report shall commence upon discovery of the alleged offense by the campaign spending commission. Takes effect on 1/7/2059. (SD1)

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

