
A BILL FOR AN ACT

RELATING TO VIOLATIONS OF CAMPAIGN FINANCE LAW.

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

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

3 1. By amending subsection (a) to read:

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

8 (1) If [~~an individual,~~] a person other than a person
9 described in paragraph (2) below, an amount not to
10 exceed \$1,000 for each occurrence or an amount
11 [~~equivalent~~] not to exceed three times the amount of
12 an unlawful contribution or expenditure; or

13 (2) If a [~~corporation, organization, association, or labor~~
14 ~~union,~~] noncandidate committee that makes only
15 independent expenditures and has either received at
16 least one contribution of more than \$10,000 from any
17 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[+] or an amount not to exceed three times
4 the amount of an unlawful contribution or expenditure;
5 provided that whenever a noncandidate committee, corporation,
6 organization, association, or labor union violates this part,
7 the violation may be deemed to be also that of the individual
8 directors, officers, or agents of the noncandidate committee,
9 corporation, organization, association, or labor union, who have
10 knowingly authorized, ordered, or done any of the acts
11 constituting the violation."

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

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

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

19 "(h) This section shall not apply to any person who,
20 [~~prior to~~] before the commencement of proceedings under this



1 section, has paid or agreed to pay the fines prescribed by
2 sections 11-340 and 11-391(b)."

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

6 SECTION 3. Statutory material to be repealed is bracketed
7 and stricken. New statutory material is underscored.

8 SECTION 4. This Act shall take effect on January 28, 2081.



Report Title:

Noncandidate Committees; Fines; Independent Expenditures

Description:

Amends the allowable administrative fines for campaign finance violations committed by noncandidate committees making only independent expenditures. Effective 1/28/2081. (SD1)

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