

JAN 22 2021

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# A BILL FOR AN ACT

RELATING TO THE ORDERS OF THE CAMPAIGN SPENDING COMMISSION.

**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 (b) to read:

4           "(b) Any order for the assessment of an administrative  
5 fine shall not be issued against a person without providing the  
6 person written notice and an opportunity to be heard at a  
7 hearing conducted under chapter 91. A person may waive these  
8 rights by written stipulation or consent. These rights shall be  
9 deemed waived if the order is a preliminary determination of  
10 probable cause rendered during a chapter 92 meeting pursuant to  
11 section 11-404 and the person fails to request a contested case  
12 hearing within twenty days of receipt of the preliminary  
13 determination, as provided in section 11-405(b)."

14           2. By amending subsection (d) to read:

15           "(d) If the person to whom the commission's order is  
16 directed does not comply with the order, the first circuit  
17 court, upon application of the commission, shall issue an order



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1 requiring the person to comply with the commission's order.  
2 Failure to obey such a court order shall be punished as  
3 contempt. In addition to initiating contempt proceedings, the  
4 commission may file the commission's order in the first circuit  
5 court to have the order confirmed as a judgment, which shall  
6 then have the same force and effect and shall be enforceable and  
7 collectible in the same manner as other judgments issued by the  
8 circuit courts; provided that there shall be no appeal from the  
9 judgment."

10 SECTION 2. New statutory material is underscored.

11 SECTION 3. This Act shall take effect upon its approval.

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INTRODUCED BY:   
By Request



# S.B. NO. 399

**Report Title:**

Campaign Spending Commission Package; Orders; Enforcement of Judgments; Fines

**Description:**

Provides that certain rights shall be deemed waived if a preliminary determination of probable cause is rendered during a chapter 92 meeting and the person fails to request a contested case hearing within 20 days of receipt of the preliminary determination. Allows the Campaign Spending Commission to have an order confirmed as a judgment by the first circuit court, giving the order the same force and effect as any other judgment issued by the circuit courts; provided that there shall be no appeal from the judgment.

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

