STAND. COM. REP. NO. 55

Honolulu, Hawaii FEB 0 9 2021

RE: S.B. No. 401

Honorable Ronald D. Kouchi President of the Senate Thirty-First State Legislature Regular Session of 2021 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 401 entitled:

"A BILL FOR AN ACT RELATING TO VIOLATIONS OF CAMPAIGN FINANCE LAW,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Increase the amount of the fine for campaign spending law violations that may be assessed against a noncandidate committee making only independent expenditures and that has received at least one contribution of more than \$10,000, or spent more than \$10,000, in an election period; and
- (2) Allow the Campaign Spending Commission to order that the payment of a fine assessed against a noncandidate committee, or any portion thereof, be paid from the personal funds of an officer of the noncandidate committee.

Your Committee received testimony in support of this measure from the Campaign Spending Commission, Common Cause Hawaii, and six individuals. Your Committee received testimony in opposition to this measure from one individual.



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Your Committee finds that campaign contributions and expenditures by large, well-funded political committees have a significant effect on elections. Your Committee further finds that enforcement of campaign finance law violations against these committees is difficult due to the resources available to them. This measure will increase the ability of the Campaign Spending Commission to enforce campaign finance law violations against large political committees by significantly increasing the amounts of fines and provide that the Commission may order that the fines, or a portion of the fines, be paid from the personal funds of an officer of the committee.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 401 and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

> Respectfully submitted on behalf of the members of the Committee on Judiciary,

KARL RHOADS, Chair



The Senate Thirty-First Legislature State of Hawaiʻi

Record of Votes Committee on Judiciary JDC

Bill / Resolution No.:*	Committee Referral:			Date:	
5B 401	JDC			2/2/2021	
The Committee is reconsidering its previous decision on this measure.					
If so, then the previous decision was to:					
The Recommendation is:					
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313					
Members		Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)		\checkmark			
KEOHOKALOLE, Jarrett (VC)		\checkmark			
ACASIO, Laura		\checkmark			
GABBARD, Mike		\checkmark			
KIM, Donna Mercado					
LEE, Chris					
FEVELLA, Kurt					
TOTAL		7	0	0	0
Recommendation:					
Chair's or Designee's Signature: Kaul Mbcosh					
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy					

*Only <u>one</u> measure per Record of Votes