



GOV. MSG. NO. 1169

EXECUTIVE CHAMBERS
KE KE'ENA O KE KIA'ĀINA

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA

June 7, 2023

The Honorable Ronald D. Kouchi
President of the Senate,
and Members of the Senate
Thirty-Second State Legislature
State Capitol, Room 409
Honolulu, Hawai'i 96813

✓ The Honorable Scott K. Saiki
Speaker, and Members of the
House of Representatives
Thirty-Second State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

This is to inform you that on June 7, 2023, the following bill was signed into law:

HB97 HD1 SD1

RELATING TO PRELIMINARY DETERMINATION
OF PROBABLE CAUSE.
ACT 069

Sincerely,

Josh Green, M.D.
Governor, State of Hawai'i

on JUN 7 2023

HOUSE OF REPRESENTATIVES
THIRTY-SECOND LEGISLATURE, 2023
STATE OF HAWAII

H.B. NO. 97
H.D. 1
S.D. 1

A BILL FOR AN ACT

RELATING TO PRELIMINARY DETERMINATION OF PROBABLE CAUSE.

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

1 SECTION 1. Section 11-405, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:

3 "(a) Upon hearing the response, if the respondent explains
4 or otherwise responds to the complaint, and upon completion of
5 any investigation, the commission may make a prompt preliminary
6 determination as to whether probable cause exists that a
7 violation of this part has been committed. The preliminary
8 determination with findings of fact and conclusions of law shall
9 be served upon the respondent by [~~certified mail.~~] first-class
10 mail. As a courtesy, the commission shall send the preliminary
11 determination with findings of fact and conclusions of law to
12 the respondent by electronic mail; provided that the electronic
13 mail shall not constitute service. If the respondent is a
14 candidate, candidate committee, or noncandidate committee and
15 the preliminary determination is mailed to the address contained
16 in the organizational report of the candidate or committee,
17 there shall be a presumption that the candidate or committee



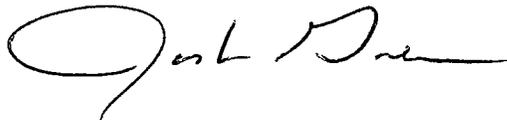
1 received the preliminary determination within seven business
2 days of the preliminary determination being mailed."

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 upon its approval.

APPROVED this 7th day of June , 2023



GOVERNOR OF THE STATE OF HAWAII



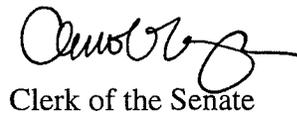
THE SENATE OF THE STATE OF HAWAI'I

Date: March 20, 2023
Honolulu, Hawai'i 96813

We hereby certify that the foregoing Bill this day passed Third Reading in the Senate of the Thirty-Second Legislature of the State of Hawai'i, Regular Session of 2023.



President of the Senate



Clerk of the Senate

HB No. 97, HD 1, SD 1

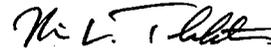
THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: May 2, 2023
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Thirty-Second Legislature of the State of Hawaii, Regular Session of 2023.



Scott K. Saiki
Speaker
House of Representatives



Brian L. Takeshita
Chief Clerk
House of Representatives