
A BILL FOR AN ACT

RELATING TO ORDERS OF THE CAMPAIGN SPENDING COMMISSION.

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 (b) to read as follows:

3 "(b) The respondent shall be afforded an opportunity to
4 contest the commission's preliminary determination of probable
5 cause by making a request for a contested case hearing under
6 chapter 91 within [~~twenty~~] thirty days of receipt of the
7 preliminary determination. Failure to request a contested case
8 hearing shall render the commission's preliminary determination
9 final."

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

12 1. By amending subsection (b) to read:

13 "(b) Any order for the assessment of an administrative
14 fine shall not be issued against a person without providing the
15 person written notice and an opportunity to be heard at a
16 hearing conducted under chapter 91. A person may waive these
17 rights by written stipulation or consent. These rights shall be



1 deemed waived if the order is a preliminary determination of
2 probable cause rendered during a chapter 92 meeting pursuant to
3 section 11-403 and the person fails to request a contested case
4 hearing within thirty days of receipt of the preliminary
5 determination, as provided in section 11-405(b)."

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

7 "(d) If the person to whom the commission's order is
8 directed does not comply with the order, the first circuit
9 court, upon application of the commission, shall issue an order
10 requiring the person to comply with the commission's order.
11 Failure to obey such a court order shall be punished as
12 contempt. In addition to contempt proceedings, the commission
13 may file the commission's order in the first circuit court to
14 have the order confirmed as a judgment, which shall then have
15 the same force and effect and shall be enforceable and
16 collectible in the same manner as other judgments issued by the
17 circuit courts; provided that there shall be no appeal from the
18 judgment."

19 SECTION 3. Statutory material to be repealed is bracketed
20 and stricken. New statutory material is underscored.

21 SECTION 4. This Act shall take effect upon its approval.



Report Title:

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

Description:

Deems the right to a contested case hearing waived if a person fails to request the hearing within thirty days after receipt of the Campaign Spending Commission's preliminary determination. Allows the Commission to file its order in the First Circuit Court for confirmation as a civil judgment. (SD1)

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