
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. If respondent is a candidate, candidate committee or
11 noncandidate committee, and the preliminary determination is
12 mailed to the address contained in the organizational report of
13 the candidate or committee, there is a presumption that the
14 candidate or committee received the preliminary determination
15 within two business days of being mailed."



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

4 SECTION 3. Statutory material to be repealed is bracketed
5 and stricken. New statutory material is underscored.

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

7

INTRODUCED BY: _____ 

By Request

JAN 17 2023



H.B. NO. 97

Report Title:

Hawaii Campaign Spending Commission Package; Preliminary Determination; Order; Method of Service

Description:

Provides for the service of the commission's preliminary determination of probable cause via first-class mail.

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