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



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 Statutory material to be repealed is bracketed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



Report Title:

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

Description:

Requires the campaign spending commission to serve preliminary determinations of probable cause via first-class mail and electronic mail. Establishes a presumption of receipt when mailed to the address contained in the candidate or committee organizational report. (HD1)

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