
A BILL FOR AN ACT

RELATING TO VIOLATIONS OF CAMPAIGN FINANCE LAW.

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

1 SECTION 1. Section 11-410, Hawaii Revised Statutes, is
2 amended as follows:

3 1. By amending subsection (a) to read:

4 "(a) The commission may make a decision or issue an order
5 affecting any person violating any provision of this part [~~or~~
6 ~~section 281-22~~] that may provide for the assessment of an
7 administrative fine as follows:

8 (1) If [~~an individual,~~] a person other than a person
9 described in paragraph (2), an amount not to exceed
10 \$1,000 for each occurrence or an amount [~~equivalent~~]
11 not to exceed three times the amount of an unlawful
12 contribution or expenditure; or

13 (2) If a [~~corporation, organization, association, or labor~~
14 ~~union,~~] noncandidate committee that makes only
15 independent expenditures and has either received at
16 least one contribution of more than \$10,000 from any
17 one person or has made expenditures of more than



1 \$10,000 in the aggregate, in an election period, an
2 amount not to exceed [~~\$1,000~~] \$5,000 for each
3 occurrence; or an amount not to exceed three times the
4 amount of an unlawful contribution or expenditure;
5 provided that whenever a corporation, organization, association,
6 or labor union violates this part, the violation may be deemed
7 to be also that of the individual directors, officers, or agents
8 of the corporation, organization, association, or labor union,
9 who have knowingly authorized, ordered, or done any of the acts
10 constituting the violation."

11 2. By amending subsection (c) to read:

12 "(c) If an administrative fine is imposed upon a
13 candidate[~~7~~] or noncandidate committee, the commission may order
14 that the fine, or any portion[~~7~~] of the fine, be paid from the
15 [~~candidate's~~] personal funds[-] of the candidate or noncandidate
16 committee; provided that if the noncandidate committee cannot
17 pay, the commission may order that the fine be paid from the
18 personal funds of the candidate or officers of the noncandidate
19 committee."



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 Statutory material to be repealed is bracketed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.



Report Title:

Hawaii Campaign Spending Commission Package; Fines; Noncandidate Committees; Independent Expenditures

Description:

Increases the amount of fine from \$1,000 to \$5,000 that may be assessed against a noncandidate committee making only independent expenditures that has received at least one contribution of more than \$10,000, or spent more than \$10,000 in an election period, for campaign spending law violations. Allows the Campaign Spending Commission to order the fine be up to three times the amount of the unlawful contribution or expenditure, and to order that the payment of the fine assessed against a noncandidate committee, or any portion thereof, be paid from the noncandidate committee or if the noncandidate committee cannot pay, the personal funds of the candidate or officers of the noncandidate committee. (SD1)

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