

STAND. COM. REP. NO.

814

Honolulu, Hawaii

MAR 03 2023

RE: S.B. No. 197
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 197 entitled:

"A BILL FOR AN ACT RELATING TO VIOLATIONS OF CAMPAIGN FINANCE LAW,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Increase from \$1,000 to \$5,000 the fine amount 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; and
- (2) Allow 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 personal funds of an officer of the noncandidate committee.

Your Committee received testimony in support of this measure from the Campaign Spending Commission, Commission to Improve



Standards of Conduct, League of Women Voters of Hawaii, and three individuals.

Your Committee finds that the Campaign Spending Commission is funded by various sources and enforces the State's campaign finance laws, including the assessment of fines for campaign spending violations. Increasing campaign spending violation fines and allowing the Campaign Spending Commission to recover costs incurred from violators enables the Commission to maintain adequate funding and continue to deter potential violators, including political action committees that make only independent expenditures. Implementation of this measure promotes the integrity and transparency of the campaign finance process and ensures the continued enforcement of the State's campaign finance laws.

Your Committee has amended this measure by:

- (1) Specifying that the payment of any fine assessed against a noncandidate committee, or any portion thereof, be paid from the noncandidate committee or, if the noncandidate committee cannot pay, then from the personal funds of the candidate or officers of the noncandidate committee; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 197, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 197, S.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



KARL RHOADS, Chair



The Senate
 Thirty-Second Legislature
 State of Hawai'i

Record of Votes
Committee on Judiciary
JDC


Bill / Resolution No.:* SB 197	Committee Referral: JDC	Date: 2/16/23
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The Committee is reconsidering its previous decision on this measure.
 If so, then the previous decision was to: _____

The Recommendation is:
 Pass, unamended 2312
 Pass, with amendments 2311
 Hold 2310
 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	✓			
GABBARD, Mike (VC)	✓			
ELEFANTE, Brandon J.C.	✓			
SAN BUENAVENTURA, Joy A.	✓			
AWA, Brenton	✓			
TOTAL	5	—	—	—

Recommendation:
 Adopted
 Not Adopted

Chair's or Designee's Signature:


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*Only one measure per Record of Votes