A BILL FOR AN ACT

RELATING TO VIOLATIONS OF CAMPAIGN FINANCE LAW.

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

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

1. By amending subsection (a) to read:

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

(1) If a person other than a person described in paragraph (2) below, an amount not to exceed $1,000 for each occurrence or an amount [equivalent] not to exceed three times the amount of an unlawful contribution or expenditure; or

(2) If a noncandidate committee that makes only independent expenditures and has either received at least one contribution of more than $10,000 from any one person or has made expenditures of more than
$10,000 in the aggregate, in an election period, an amount not to exceed [$1,000] $5,000 for each occurrence or an amount not to exceed three times the amount of an unlawful contribution or expenditure; provided that whenever a corporation, organization, association, or labor union violates this part, the violation may be deemed to be also that of the individual directors, officers, or agents of the corporation, organization, association, or labor union, who have knowingly authorized, ordered, or done any of the acts constituting the violation."

2. By amending subsection (c) to read:

"(c) If an administrative fine is imposed upon a candidate or noncandidate committee, the commission may order that the fine, or any portion of the fine, be paid from the candidate's personal funds of the candidate or officers of the noncandidate committee."

3. By amending subsection (h) to read:

"(h) This section shall not apply to any person who, before the commencement of proceedings under this section, has paid or agreed to pay the fines prescribed by sections 11-340 and 11-391(b)."
SECTION 2. This Act does not affect rights and duties that matured, penalties that were incurred, and proceedings that were begun before its effective date.

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 Statutory material to be repealed is bracketed and stricken.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

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

INTRODUCED BY:  
By Request
Report Title:
Hawaii Campaign Spending Commission Package; Fines; Noncandidate Committees; Independent Expenditures

Description:
Increases the fine that may be assessed, for campaign spending law violations, against a noncandidate committee making only independent expenditures and that has received at least 1 contribution of more than $10,000, or spent more than $10,000 in an election period. Allows the Campaign Spending Commission to order that payment of a fine assessed against a noncandidate committee, or any portion thereof, be paid from the personal funds of an officer of the noncandidate committee.

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