
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 291-22~~] 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
4 the 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[+] or noncandidate committee, the commission may order
14 that the fine, or any portion[+] of the fine, be paid from the
15 [~~candidate's~~] personal funds[+] of the candidate or officers of
16 the noncandidate committee."

17 3. By amending subsection (h) to read:

18 "(h) This section shall not apply to any person who,
19 [~~prior to~~] before the commencement of proceedings under this
20 section, has paid or agreed to pay the fines prescribed by
21 sections 11-340 and 11-391(b)."



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 Statutory material to be repealed is bracketed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 on July 1, 2112.



Report Title:

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

Description:

Increases the amount of the fine for campaign spending law violations that may be assessed against a noncandidate committee making only independent expenditures and that has received at least one contribution of more than \$10,000, or spent more than \$10,000, in an election period. Allows the campaign spending commission to order that the payment of a fine assessed against a noncandidate committee, or any portion of the fine, be paid from the personal funds of an officer of the noncandidate committee. Effective 7/1/2112. (HD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

