

STAND. COM. REP. NO. 694

Honolulu, Hawaii

MAR 04 2021

RE: S.B. No. 635

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-First State Legislature  
Regular Session of 2021  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 635 entitled:

"A BILL FOR AN ACT RELATING TO ELECTIONS,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Allow the Campaign Spending Commission to refer a complaint to the Attorney General or county prosecutor in addition to any administrative determination and without the requirement that the Commission believes the respondent has recklessly, knowingly, or intentionally committed a violation;
- (2) Disqualify a person convicted of violating elections criminal prosecution laws from holding elective public office for ten years rather than four; and
- (3) Repeal language stipulating that elections criminal prosecution law does not apply to any persons who has paid or agrees to pay fines related to report filing violations and advertisement violations prior to the commencement of the proceedings.

Your Committee received testimony in support of this measure from the Campaign Spending Commission and one individual.



Your Committee finds that under current law, the Campaign Spending Commission is required to refer a violation complaint for prosecution and wait to commence civil adjudication of the matter until the prosecutor has declined prosecution. Your Committee further finds that this process can be extremely time consuming, resulting in violation complaints being unresolved for much longer than necessary. This measure will increase the efficiency and the effectiveness of the administrative complaint process.

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. 635 and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

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



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KARL RHOADS, Chair



The Senate  
Thirty-First Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Judiciary**  
**JDC**

Bill / Resolution No.:* <b>SB 635</b>	Committee Referral: <b>JDC</b>	Date: <b>2/23/21</b>
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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)	✓			
KEOHOKALOLE, Jarrett (VC)	✓			
ACASIO, Laura			✓	
GABBARD, Mike	✓			
KIM, Donna Mercado	✓			
LEE, Chris	✓			
FEVELLA, Kurt	✓			
<b>TOTAL</b>	<b>6</b>	<b>—</b>	<b>1</b>	<b>—</b>

Recommendation:     Adopted     Not Adopted

Chair's or Designee's Signature:  


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\*Only one measure per Record of Votes