
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 noncandidate
9 committee that makes only independent expenditures, an
10 amount not to exceed \$1,000 for each occurrence or an
11 amount [~~equivalent to~~] not to exceed three times the
12 amount of an unlawful 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,~~
6 ~~association, or labor union violates this part, the violation~~
7 ~~may be deemed to be also that of the individual directors,~~
8 ~~officers, or agents of the corporation, organization,~~
9 ~~association, or labor union, who have knowingly authorized,~~
10 ~~ordered, or done any of the acts 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 Statutory material to be repealed is bracketed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, 2050.



Report Title:

Campaign Spending Commission Package; Fines; Noncandidate Committees

Description:

Increases the amount of the fine that may be assessed against a noncandidate committee making only independent expenditures for campaign spending violations. Allows the Campaign Spending Commission to order that a fine assessed against a noncandidate committee, or any portion thereof, be paid from the personal funds of officers of the noncandidate committee. (HB1656 HD1)

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