

JAN 18 2019

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# 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 person  
9 described in paragraph (2) below, an amount not to  
10 exceed \$1,000 for each occurrence or an amount  
11 [~~equivalent~~] not to exceed three times the amount of  
12 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, 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)."



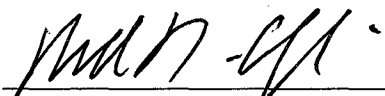
# S.B. NO. 137

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 upon its approval.

7

INTRODUCED BY:   
By Request



# S.B. NO. 137

**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.

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

