

Honolulu, Hawaii

FEB 13 2023

RE: S.B. No. 203
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 203 entitled:

"A BILL FOR AN ACT RELATING TO COMPLAINTS ALLEGING VIOLATIONS OF CAMPAIGN SPENDING LAWS,"

begs leave to report as follows:

The purpose and intent of this measure is to allow the Campaign Spending Commission to treat a respondent's failure to explain or otherwise respond to a complaint alleging a violation of campaign spending laws as an admission that a violation has occurred.

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

Your Committee finds that currently, the Campaign Spending Commission has to make repeated attempts to communicate with a respondent regarding a complaint alleging a violation of campaign spending laws before putting the matter on a meeting agenda for action. This wastes the Campaign Spending Commission's time and resources. This measure will allow the Campaign Spending Commission to timely process complaints in cases where the Campaign Spending Commission has given notice of a complaint to the respondent and the respondent fails to respond.

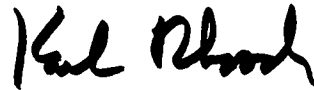


Your Committee has amended this measure by:

- (1) Specifying that a respondent's failure to explain or otherwise respond to a complaint may be treated as a presumption, rather than an admission, that the violation has occurred; and
- (2) Specifying that the respondent shall have thirty days from the mailing of the complaint to respond before the presumption takes effect.

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. 203, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 203, S.D. 1, and be placed on the calendar for Third Reading.

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

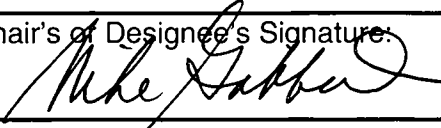


KARL RHOADS, Chair



The Senate
Thirty-Second Legislature
State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 203	JDC	2/7/23		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312				
<input checked="" type="checkbox"/> Pass, with amendments 2311				
<input type="checkbox"/> Hold 2310				
<input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	✓			
GABBARD, Mike (VC)	✓			
ELEFANTE, Brandon J.C.	✓			
SAN BUENAVENTURA, Joy A.		✓		
AWA, Brenton	✓			
TOTAL	4	1	—	—
Recommendation:				
<input checked="" type="checkbox"/> Adopted				
<input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original	Yellow	Pink	Goldenrod	
File with Committee Report	Clerk's Office	Drafting Agency	Committee File Copy	

*Only one measure per Record of Votes