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# A BILL FOR AN ACT

RELATING TO COMPLAINTS ALLEGING VIOLATIONS OF CAMPAIGN SPENDING LAWS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 11-403, Hawaii Revised Statutes, is  
2 amended to read as follows:

3 "[+]§11-403[+] Notice of complaint; opportunity to explain  
4 or respond to complaint[-]; failure to explain or respond to

5 complaint. (a) The commission shall give notice of receipt of  
6 the complaint and a copy of the complaint to the respondent.

7 (b) The respondent may explain or otherwise respond in  
8 writing to the complaint and explain or otherwise respond to the  
9 complaint at a meeting promptly noticed by the commission and  
10 conducted under chapter 92.

11 (c) If the respondent fails to explain or otherwise  
12 respond to the complaint, the commission may treat the failure  
13 to explain or respond as a rebuttable presumption that a  
14 violation has occurred. The respondent shall have thirty days  
15 from the mailing of the complaint under subsection (a) to  
16 explain or otherwise respond to the complaint before the  
17 rebuttable presumption takes effect."



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 Statutory material to be repealed is bracketed  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.



**Report Title:**

Hawaii Campaign Spending Commission Package; Complaints;  
Violations; Rebuttable Presumption

**Description:**

Allows 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 a rebuttable presumption that a violation has occurred. Provides the respondent with thirty days from the mailing of the complaint to explain or otherwise respond before the rebuttable presumption takes effect. (CD1)

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

