

Honolulu, Hawaii

FEB 04 2020

RE: S.B. No. 840

Honorable Ronald D. Kouchi  
President of the Senate  
Thirtieth State Legislature  
Regular Session of 2020  
State of Hawaii

Sir:

Your Committee on Ways and Means, to which was referred S.B. No. 840 entitled:

"A BILL FOR AN ACT RELATING TO ELECTIONS, "

begs leave to report as follows:

The purpose and intent of this measure is to promote greater accountability within the election system by removing barriers to criminal prosecution of election law violations.

Specifically, the measure:

- (1) Allows the Elections Commission to refer a complaint to the Attorney General or a county prosecutor in addition to any administrative determination and without the requirement that the Commission believes the respondent recklessly, knowingly, or intentionally committed a violation;
- (2) Disqualifies a person convicted of a specified criminal elections law offense from holding elective public office for ten years, rather than four; and
- (3) Repeals language providing that criminal prosecution of specified elections laws shall not apply to any person who has paid or agreed to pay fines related to report filing violations and advertisement violations prior to the commencement of criminal proceedings.

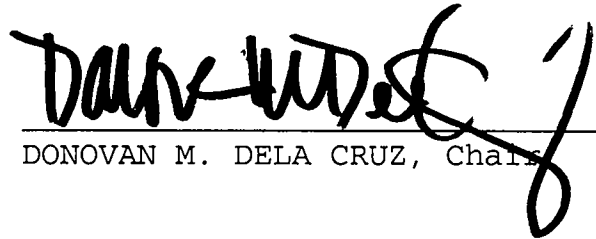


Your Committee received written comments in support of this measure from the Campaign Spending Commission, Common Cause Hawaii, and one individual.

Your Committee finds that removing barriers to criminal prosecution of election law violations will aid in enforcement of those laws and deter violators.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 840 and recommends that it pass Third Reading.

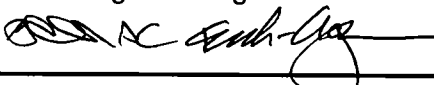
Respectfully submitted on  
behalf of the members of the  
Committee on Ways and Means,

  
DONOVAN M. DELA CRUZ, Chair



The Senate  
Thirtieth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Ways and Means**  
**WAM**

Bill / Resolution No.:* <b>SB 840</b>	Committee Referral: <b>JDC, WAM</b>	Date: <b>1/29/20</b> <i>CB</i>		
<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 checked="" type="checkbox"/> Pass, unamended 2312 <input type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
DELA CRUZ, Donovan M. (C)	X			
KEITH-AGARAN, Gilbert S.C. (VC)	X			
ENGLISH, J. Kalani				X
HARIMOTO, Breene	X			
INOUYE, Lorraine R.	X			
KAHELE, Kaiali'i				X
KANUHA, Dru Mamo	X			
KIDANI, Michelle N.	X			
MORIWAKI, Sharon Y.				X
RIVIERE, Gil	X			
SHIMABUKURO, Maile S.L.	X			
TANIGUCHI, Brian T.				X
FEVELLA, Kurt	X			
<b>TOTAL</b>	<b>9</b>			<b>4</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b> Original             Yellow             Pink             Goldenrod File with Committee Report             Clerk's Office             Drafting Agency             Committee File Copy				

\*Only one measure per Record of Votes