

JAN 22 2021

A BILL FOR AN ACT

RELATING TO THE ORDERS OF THE CAMPAIGN SPENDING COMMISSION.

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 (b) to read:

4 "(b) Any order for the assessment of an administrative
5 fine shall not be issued against a person without providing the
6 person written notice and an opportunity to be heard at a
7 hearing conducted under chapter 91. A person may waive these
8 rights by written stipulation or consent. These rights shall be
9 deemed waived if the order is a preliminary determination of
10 probable cause rendered during a chapter 92 meeting pursuant to
11 section 11-404 and the person fails to request a contested case
12 hearing within twenty days of receipt of the preliminary
13 determination, as provided in section 11-405(b)."

14 2. By amending subsection (d) to read:

15 "(d) If the person to whom the commission's order is
16 directed does not comply with the order, the first circuit
17 court, upon application of the commission, shall issue an order



1 requiring the person to comply with the commission's order.
2 Failure to obey such a court order shall be punished as
3 contempt. In addition to initiating contempt proceedings, the
4 commission may file the commission's order in the first circuit
5 court to have the order confirmed as a judgment, which shall
6 then have the same force and effect and shall be enforceable and
7 collectible in the same manner as other judgments issued by the
8 circuit courts; provided that there shall be no appeal from the
9 judgment."

10 SECTION 2. New statutory material is underscored.

11 SECTION 3. This Act shall take effect upon its approval.

12
INTRODUCED BY:



By Request



S.B. NO. 399

Report Title:

Campaign Spending Commission Package; Orders; Enforcement of Judgments; Fines

Description:

Provides that certain rights shall be deemed waived if a preliminary determination of probable cause is rendered during a chapter 92 meeting and the person fails to request a contested case hearing within 20 days of receipt of the preliminary determination. Allows the Campaign Spending Commission to have an order confirmed as a judgment by the first circuit court, giving the order the same force and effect as any other judgment issued by the circuit courts; provided that there shall be no appeal from the judgment.

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

