

STAND. COM. REP. NO. 570 -22

Honolulu, Hawaii

FEB 18 , 2022

RE: H.B. No. 2474  
H.D. 1

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirty-First State Legislature  
Regular Session of 2022  
State of Hawaii

Sir:

Your Committee on Government Reform, to which was referred  
H.B. No. 2474 entitled:

"A BILL FOR AN ACT RELATING TO ELECTIONS,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Allow the Campaign Spending Commission to refer a complaint to the Attorney General or county prosecutor for prosecution, in addition to any administrative determination, without the requirement that the Commission believes the respondent has recklessly, knowingly, or intentionally committed a violation;
- (2) Disqualify a person convicted of violating campaign finance criminal prosecution laws from holding elective public office for ten years, rather than four years; and
- (3) Repeal language stipulating that campaign finance criminal prosecution laws do not apply to any person who has paid or agrees to pay fines related to report filing violations and advertisement violations prior to the commencement of the proceedings.

2022-1419 HB2474 HD1 HSCR HMSO



Your Committee received testimony in support of this measure from the Campaign Spending Commission. Your Committee received comments on this measure from Common Cause Hawaii.

Your Committee finds that increasing the disqualification period for a person from holding public elective office if the persons is convicted of a criminal campaign finance violation will deter criminal violations of campaign finance laws. Your Committee further finds that the payment of civil fines for report filing violations and advertisement violations do not foreclose criminal prosecutions of campaign finance law violations, thereby further deterring criminal violations of campaign finance laws.

Your Committee further finds that under existing law, the Campaign Spending Commission is required to either make an administrative determination of a campaign finance violation or refer the complaint for prosecution and wait to commence civil adjudication of the matter until the prosecutor has declined prosecution. Your Committee further finds that this process can result in violation complaints being unresolved for long periods of time.

Your Committee has amended this measure by changing its effective date to July 1, 2112, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Government Reform that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2474, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2474, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Respectfully submitted on  
behalf of the members of the  
Committee on Government Reform,



ANGUS L.K. MCKELVEY, Chair



