
A BILL FOR AN ACT

RELATING TO VIOLATIONS OF CAMPAIGN FINANCE LAW.

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

1 SECTION 1. The legislature finds that the house of
2 representatives adopted House Resolution No. 9 (2022) to
3 establish the commission to improve standards of conduct. The
4 resolution requests the commission ensure state laws and rules
5 relating to standards of conduct of public officers and
6 employees contain clear standards, enforcement, and penalties
7 and provide recommendations to increase awareness of, compliance
8 with, and deterrent effects of the code of ethics, lobbying
9 laws, campaign finance laws, and other relevant laws and rules.

10 Pursuant to House Resolution No. 9, the commission to
11 improve standards of conduct convened regularly throughout 2022
12 to diligently review, discuss, and consider the issues
13 presented, submitted an interim report to the house of
14 representatives outlining areas of immediate and long-term
15 focus, then continued its work with input from the public and
16 invited individuals and agencies to issue a final report with
17 various recommendations and accompanying proposed legislation.



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1 The legislature also finds that the strength and stability
2 of our democratic government rely upon the public's trust in
3 government institutions, including the expectation that officers
4 act ethically with prudence, integrity, and sound judgement.
5 Therefore, an essential goal of the commission was to provide
6 recommendations that would help restore public trust in state
7 government and increase the level of transparency in its
8 operations and accountability of individuals.

9 Accordingly, the purpose of this Act is to implement
10 recommendations of the commission to improve standards of
11 conduct by:

- 12 (1) Increasing the amount of the fine for campaign
13 spending law violations that may be assessed against a
14 noncandidate committee making only independent
15 expenditures and that has received at least one
16 contribution of more than \$10,000, or spent more than
17 \$10,000, in an election period; and
- 18 (2) Allowing the campaign spending commission to order
19 that the payment of a fine assessed against a
20 noncandidate committee, or any portion thereof, be



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1 paid from the personal funds of an officer of the
2 noncandidate committee.

3 SECTION 2. Section 11-410, Hawaii Revised Statutes, is
4 amended as follows:

5 1. By amending subsection (a) to read:

6 "(a) The commission may make a decision or issue an order
7 affecting any person violating any provision of this part [~~or~~
8 ~~section 281-22~~] that may provide for the assessment of an
9 administrative fine as follows:

10 ~~[(1) If an individual, an amount not to exceed \$1,000 for~~
11 ~~each occurrence or an amount equivalent to three times~~
12 ~~the amount of an unlawful contribution or expenditure;~~
13 ~~or~~

14 ~~(2)]~~ (1) If a [~~corporation, organization, association, or~~
15 ~~labor union,~~] noncandidate committee that makes only
16 independent expenditures and has either received at
17 least one contribution of more than \$10,000 from any
18 one person in an election period or has made
19 expenditures of more than \$10,000 in the aggregate in
20 an election period, an amount not to exceed [~~\$1,000~~]
21 \$5,000 for each occurrence [~~+~~] or an amount not to



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1 exceed three times the amount of an unlawful
2 contribution or expenditure; or
3 (2) If a person other than a person described in paragraph
4 (1), an amount not to exceed \$1,000 for each
5 occurrence or an amount not to exceed three times the
6 amount of an unlawful contribution or expenditure;

7 provided that whenever a corporation, organization, association,
8 or labor union violates this part, the violation may be deemed
9 to be also that of the individual directors, officers, or agents
10 of the corporation, organization, association, or labor union,
11 who have knowingly authorized, ordered, or done any of the acts
12 constituting the violation."

13 2. By amending subsection (c) to read:

14 "(c) If an administrative fine is imposed upon a
15 candidate[~~r~~] or noncandidate committee, the commission may order
16 that the fine, or any portion[~~r~~] of the fine, be paid from the
17 [~~candidate's~~] personal funds[~~r~~] of the candidate or officers of
18 the noncandidate committee."

19 SECTION 3. This Act does not affect rights and duties that
20 matured, penalties that were incurred, and proceedings that were
21 begun before its effective date.



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1 SECTION 4. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 5. This Act shall take effect upon its approval.

4

INTRODUCED BY: _____



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Report Title:

Commission to Improve Standards of Conduct; Campaign Spending Commission; Administrative Fines; Noncandidate Committees; Independent Expenditures

Description:

Increases the amount of the fine for campaign spending law violations that may be assessed against a noncandidate committee making only independent expenditures and that has received at least one contribution of more than \$10,000, or spent more than \$10,000, in an election period. Allows the campaign spending commission to order that the payment of a fine assessed against a noncandidate committee, or any portion thereof, be paid from the personal funds of an officer of the noncandidate committee.

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

