

STAND. COM. REP. NO. 1437

Honolulu, Hawaii
MAR 22 , 2023

RE: S.B. No. 197
S.D. 1
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred S.B. No. 197, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO VIOLATIONS OF CAMPAIGN FINANCE LAW,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Increase the fine for campaign spending law violations that may be assessed against a noncandidate committee that makes only independent expenditures and has received at least one contribution of more than \$10,000 or spent more than \$10,000 in the aggregate in an election period; and
- (2) Authorize the Campaign Spending Commission to order that the fine, or any portion of the fine, assessed against a noncandidate committee be paid from the personal funds of the noncandidate committee or if the noncandidate committee cannot pay, the personal funds of the candidate or officers of the noncandidate committee.

Your Committee received testimony in support of this measure from the Commission to Improve Standards of Conduct, Campaign

2023-2728 SB197 HD1 HSCR HMSO



Spending Commission, League of Women Voters of Hawaii, and three individuals.

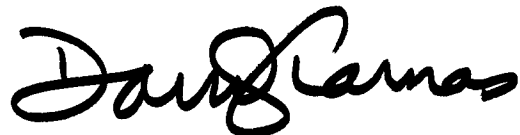
Your Committee finds that this measure implements one of the recommendations made by the Commission to Improve Standards of Conduct established by the House of Representatives in House Resolution No. 9, Regular Session of 2022. This measure attempts to reduce the influence of money in determining political outcomes at the state level by increasing the fine imposed for campaign spending law violations by certain noncandidate committees and allowing officers of a noncandidate committee to be held personally liable for fines assessed against noncandidate committees.

Your Committee has amended this measure by:

- (1) Clarifying when the Campaign Spending Commission may order an administrative fine, or any portion of the fine, assessed against a noncandidate committee be paid from personal funds;
- (2) Changing the effective date to June 30, 3000, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 197, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 197, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary &
Hawaiian Affairs,



DAVID A. TARNAS, Chair



