

ACT 118

S.B. NO. 203

A Bill for an Act Relating to Complaints Alleging Violations of Campaign Spending Laws.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 11-403, Hawaii Revised Statutes, is amended to read as follows:

“~~[[§11-403]] Notice of complaint; opportunity to explain or respond to complaint~~[-]; failure to explain or respond to complaint. (a) The commission shall give notice of receipt of the complaint and a copy of the complaint to the respondent.

(b) The respondent may explain or otherwise respond in writing to the complaint and explain or otherwise respond to the complaint at a meeting promptly noticed by the commission and conducted under chapter 92.

(c) If the respondent fails to explain or otherwise respond to the complaint, the commission may treat the failure to explain or respond as a rebuttable presumption that a violation has occurred. The respondent shall have thirty days from the mailing of the complaint under subsection (a) to explain or otherwise respond to the complaint before the rebuttable presumption takes effect.”

SECTION 2. This Act does not affect rights and duties that matured, penalties that were incurred, and proceedings that were begun before its effective date.

SECTION 3. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 4. This Act shall take effect upon its approval.

(Approved June 23, 2023.)