

COMMISSION TO IMPROVE STANDARDS OF CONDUCT

March 31, 2022 Report Bill Status

Strengthening Investigation and Prosecution of Fraud. One (1) of the four (4) bills identified that could strengthen the investigation and prosecution of fraud has been adopted by the 2022 Legislature:

- [SB 665](#), Relating to Violations of Campaign Finance Law, establishes that **"intentionally providing false information concerning the name or address of a person paying for a campaign advertisement" is a class C felony.**

Giving Openness and Transparency a Boost. Three (3) of the three (3) bills in this area have been adopted by the 2022 Legislature to open the governmental process to public scrutiny and participation:

- [SB 3252](#), Public Records, improves access to government records by **imposing a cap on the costs charged for the reproduction of certain government records beginning July 1, 2023.** This bill also waives the cost of duplication of government records provided to requestors in an electronic format; imposes a cap on costs charged for searching for, reviewing, and segregating digital records; and provides for a waiver of fees when the public interest is served by a digital record's disclosure. This bill also authorizes and funds two full-time positions in the Office of Information Practices.
- [SB 3172](#), Relating to Public Agency Meetings, requires that any **electronic audio or video recording of a board meeting be kept as a public record beginning October 1, 2022.** It also clarifies that only one version of any recording must be kept. Removes the requirement that a written summary must accompany any minutes that are posted in a digital or analog recording format.
- While [SB 2143](#), Relating to Board Meetings, died, the substance was included in HB 2026. [HB 2026](#) amends Chapter 92, Hawaii Revised Statutes, the "Sunshine Law" to include a definition of "board packet" and **requires state boards to make its board packets publicly available to interested persons at least 48 hours prior to the board meeting.**

Serving the Public Interest with Ethical Awareness and Oversight. One (1) of the two (2) bills identified has been adopted.

- [HB 1475](#), Relating to Mandatory Ethics Training, **requires state legislators and employees to complete mandatory ethics training courses every four years** beginning January 1, 2023.

Reducing the Power of Money in Politics. Three (3) of the five (5) bills identified in this area were adopted:

- [SB 555](#), Relating to Campaign Fundraising, prohibits legislators and employees and persons acting on behalf of legislators from holding any **fundraiser during a regular legislative session or special session.**

- [HB 1427](#), Relating to Reports Filed with the Campaign Spending Commission, clarifies that **candidates are not required to file preliminary general reports if they are either unsuccessful or are elected to office in the primary election**. Clarifies the aggregating contributions and expenditures that determine when a committee needs only to file the final election period report.
HB 1427 was signed into law as Act 3 on April 7, 2022.
- [SB 2043](#), Relating to Candidate Committee & Noncandidate Committee Organizational Reports, **repeals references in the campaign spending law that have been previously repealed**.

While not included in the Commission's list of bills recommended, [HB 2416](#), Relating to Campaign Spending, was also adopted by the Legislature. HB 2416 specifies consent procedures for when 501(c)(4) nonprofit organizations operating as noncandidate committees can use donations for electioneering communications, independent expenditures, or contributions and requires these organizations to provide certain written notice to donors beginning January 1, 2023.

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