

**AMENDMENT**

OFFERED IN THE SENATE

BY SENATOR SHOWER

TO: SCS CSHB 157(JUD), Draft Version "G"

Page 1, line 9, following "**opinion;**":

Insert "**relating to penalties assessed for campaign finance violations;**"

Page 6, following line 14:

Insert new bill sections to read:

**"\* Sec. 13.** AS 15.13.390(a) is amended to read:

(a) **Subject to (g) of this section, a** [A] person who

(1) fails to register when required by AS 15.13.050(a) or who fails to file a properly completed and certified report within the time required by AS 15.13.040, 15.13.060(b) - (d), 15.13.110(a)(1), (3), or (4), (e), or (f) is subject to a civil penalty of not more than \$50 a day for each day the delinquency continues as determined by the commission subject to right of appeal to the superior court. A person who fails to file a properly completed and certified report within the time required by AS 15.13.110(a)(2) or 15.13.110(b) is subject to a civil penalty of not more than \$500 a day for each day the delinquency continues as determined by the commission subject to right of appeal to the superior court;

(2) whether as a contributor or intermediary, delays in reporting a contribution as required by AS 15.13.040(r) is subject to a civil penalty of not more than \$1,000 a day for each day the delinquency continues as determined by the commission subject to right of appeal to the superior court;

(3) whether as a contributor or intermediary, misreports or fails to disclose the true source of a contribution in violation of AS 15.13.040(r) or 15.13.074(b) is subject to a civil penalty of not more than the amount of the

1 contribution that is the subject of the misreporting or failure to disclose; upon a  
 2 showing that the violation was intentional, a civil penalty of not more than three times  
 3 the amount of the contribution in violation may be imposed; these penalties as  
 4 determined by the commission are subject to right of appeal to the superior court;

5 (4) violates a provision of this chapter, except as otherwise specified in  
 6 this section, is subject to a civil penalty of not more than \$50 a day for each day the  
 7 violation continues as determined by the commission, subject to right of appeal to the  
 8 superior court; and

9 (5) is assessed a civil penalty may submit to the commission an  
 10 affidavit stating facts in mitigation; however, the imposition of the penalties  
 11 prescribed in this section or in AS 15.13.380 does not excuse that person from  
 12 registering or filing reports required by this chapter.

13 \* **Sec. 14.** AS 15.13.390(d) is amended to read:

14 (d) When an action has been filed in the superior court under AS 15.13.380,  
 15 upon proof of the violation, the court shall enter a judgment in the amount of the civil  
 16 penalty authorized to be collected **under (a) and (g)** [BY (a)] of this section.

17 \* **Sec. 15.** AS 15.13.390 is amended by adding a new subsection to read:

18 (g) The amount of a civil penalty assessed on a daily basis under (a)(1), (2), or  
 19 (4) of this section shall be determined as follows for each day the delinquency or  
 20 violation continues:

21 (1) during the first six months, the full daily penalty provided by (a) of  
 22 this section;

23 (2) during months seven to 11, 75 percent of the daily penalty provided  
 24 by (a) of this section;

25 (3) during months 12 to 18, 50 percent of the daily penalty provided by  
 26 (a) of this section; and

27 (4) after 18 months, 25 percent of the daily penalty provided by (a) of  
 28 this section."

29  
 30 Renumber the following bill sections accordingly.