

AMENDMENT

OFFERED IN THE SENATE

BY SENATOR HOLLAND

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

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

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

3

4 Page 6, following line 14:

5 Insert new bill sections to read:

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

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

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

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

21 (3) whether as a contributor or intermediary, misreports or fails to
22 disclose the true source of a contribution in violation of AS 15.13.040(r) or
23 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** [BY (a) OF] this section.

17 * **Sec. 15.** AS 15.13.390(e) is amended to read:

18 (e) If the commission or superior court finds that the violation was

19 **(1)** not a repeat violation or was not part of a series or pattern of
 20 violations, was inadvertent, was quickly corrected, and had no adverse effect on
 21 **another** [THE] campaign [OF ANOTHER], the commission or the court may

22 **(A)** [(1)] suspend imposition of the penalties; and

23 **(B)** [(2)] order the penalties set aside if the person does not
 24 engage in a similar violation for a period of one year;

25 **(2) inadvertently committed by a candidate, the maximum**
 26 **financial penalty the commission or the court may impose may not exceed 20**
 27 **percent of the total contributions made to the candidate's campaign.**"

28
 29 Renumber the following bill sections accordingly.