
A BILL FOR AN ACT

RELATING TO TRANSPARENCY OF DONATIONS TO NONCANDIDATE
COMMITTEES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that in 2010, the United
2 States Supreme Court decided Citizens United v. Federal Election
3 Commission, 130 S.Ct. 876, 558 U.S. 310 (2010), concluding that
4 "independent expenditures, including those made by corporations,
5 do not give rise to corruption or the appearance of corruption"
6 and holding that the prohibition on independent expenditures by
7 corporations violated the First Amendment. In the wake of this
8 decision and others that removed several restrictions in
9 campaign finance law, corporations, labor unions, and wealthy
10 individuals have injected unprecedented sums into political
11 spending. Transparency has eroded as "dark money" groups,
12 keeping their sources of funding secret, have emerged.

13 The legislature further finds that facilitating voter
14 access to the identity of donors contributing to noncandidate
15 committees, including noncandidate committees making only
16 independent expenditures, and the candidates those committees



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1 support or oppose, will promote transparency in campaign
2 advertisements and electioneering communications and assist
3 voters in making informed decisions. Without transparency,
4 there is no accountability. Donors and donations to
5 noncandidate committees should be transparent and reportable so
6 that voters can be informed and aware of who is responsible for
7 campaign claims and commercials.

8 The purpose of this Act is to implement a recommendation of
9 the commission to improve standards of conduct to promote
10 transparency in campaign advertisements and electioneering
11 communications by:

12 (1) Requiring the legislative reference bureau, with the
13 cooperation of the campaign spending commission, to
14 conduct a study of noncandidate committees that
15 operated in the State for each election year and non-
16 election year from 2012 through 2022, including
17 noncandidate committees making only independent
18 expenditures;

19 (2) Requiring the legislative reference bureau to report
20 to the legislature prior to the regular session of
21 2024; and



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1 (3) Appropriating funds for the study.

2 SECTION 2. (a) The legislative reference bureau shall
3 conduct a study on noncandidate committees that operated in the
4 State for each election year and non-election year from 2012
5 through 2022, including noncandidate committees making only
6 independent expenditures.

7 (b) The study shall include the following information for
8 each noncandidate committee in the State registered with the
9 campaign spending commission, including noncandidate committees
10 that have registered and certified with the commission that they
11 will only be making independent expenditures:

12 (1) The amount of contributions received and expenditures
13 made;

14 (2) The identity of donors, including if donors are
15 individuals or organizations; amount of each donor's
16 contributions; and whether contributions are from in-
17 state or out-of-state donors; and

18 (3) The candidate or candidates each noncandidate
19 committee supported and opposed, as applicable.



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1 SECTION 3. The campaign spending commission shall
2 cooperate with the legislative reference bureau in providing the
3 information and data necessary to conduct the study.

4 SECTION 4. The legislative reference bureau shall submit a
5 report of its findings and recommendations, including any
6 proposed legislation, to the legislature no later than twenty
7 days prior to the convening of the regular session of 2024.

8 SECTION 5. There is appropriated out of the general
9 revenues of the State of Hawaii the sum of \$ or so
10 much thereof as may be necessary for fiscal year 2023-2024 for
11 the legislative reference bureau to conduct the study as
12 provided in this Act.

13 The sum appropriated shall be expended by the legislative
14 reference bureau for the purposes of this Act.

15 SECTION 6. This Act shall take effect on July 1, 2023.

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INTRODUCED BY: _____



H.B. NO.

Report Title:

Commission to Improve Standards of Conduct; Transparency of Donations; Noncandidate Committees; Study; Legislative Reference Bureau; Campaign Spending Commission; Appropriation

Description:

Requires the legislative reference bureau, with the cooperation of the campaign spending commission, to conduct a study of noncandidate committees that operated in the State for each election year and non-election year from 2012 through 2022, including noncandidate committees making only independent expenditures. Requires a report to the legislature. Appropriates funds for the study.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

