

JAN 25 2006

A BILL FOR AN ACT

RELATING TO CAMPAIGN SPENDING.

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

1 SECTION 1. Section 11-215, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "**§11-215 Advertising.** (a) All advertisements shall
4 contain the name and address of the candidate, committee, party,
5 or person for whom the advertisement is for and the name and
6 address of the candidate, committee, party, or person who is
7 paying for the advertisement. If an advertisement is not
8 authorized by a candidate or a candidate's committee, the
9 advertisement and the envelope that contains the advertisement,
10 if any, shall contain the name and address of the person paying
11 for the advertisement[-] and shall clearly state on the
12 advertisement and envelope, if any, that the advertisement is,
13 or the envelope contains, campaign material.

14 (b) In addition to subsection (a), no candidate, person,
15 or committee shall cause or submit any advertisement in support
16 of a candidate, against a candidate's opponent, or with regard
17 to a ballot issue to be published, broadcast, televised, or



1 otherwise circulated and distributed except under the following
2 conditions:

3 (1) The advertisement shall contain a notice in a
4 prominent location that the literature or
5 advertisement is published, broadcast, televised, or
6 circulated with the approval and authority of the
7 candidate, [~~provided that in the event that the~~
8 ~~literature or advertisement is paid for by a~~
9 ~~candidate, committee directly associated with a~~
10 ~~candidate, or ballot issue committee, the notice of~~
11 ~~approval and authority need not be included;~~] if
12 applicable; or

13 (2) The advertisement shall contain a notice in a
14 prominent location that the literature or
15 advertisement is published, broadcast, televised, or
16 circulated without the approval and authority of the
17 candidate[~~-~~], if applicable.

18 (c) The penalty for violating this section shall be a fine
19 not to exceed \$25 for each advertisement that lacks the required
20 disclaimer and no more than \$5,000 aggregate."



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

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 Statutory material to be repealed is bracketed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

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

7

INTRODUCED BY: Will Egan

Report Title:

Campaign Spending; Advertisements; Notice Requirements

Description:

Requires businesses, individuals, and organizations to disclose, on the return address of campaign-related material, that the material contained in the mailing is campaign-related.

