
A BILL FOR AN ACT

RELATING TO CAMPAIGN CONTRIBUTIONS.

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

1 SECTION 1. Section 11-204, Hawaii Revised Statutes, is
2 amended to read as follows:

3 **"§11-204 Campaign contributions; limits as to persons.**

4 (a) (1) No person, including a company or any other entity
5 shall make contributions to:

6 (A) A candidate seeking nomination or election to a
7 two-year office or to the candidate's committee
8 in an aggregate amount greater than \$2,000 during
9 an election period;

10 (B) A candidate seeking nomination or election to a
11 four-year statewide office or to the candidate's
12 committee in an aggregate amount greater than
13 \$6,000 during an election period; and

14 (C) A candidate seeking nomination or election to a
15 four-year nonstatewide office or to the
16 candidate's committee in an aggregate amount
17 greater than \$4,000 during an election period.



1 These limits shall not apply to a loan made to a
2 candidate by a financial institution in the ordinary
3 course of business;

4 (2) For purposes of this section, the length of term of an
5 office shall be the usual length of term of the office
6 as unaffected by reapportionment, a special election
7 to fill a vacancy, or any other factor causing the
8 term of the office the candidate is seeking to be less
9 than the usual length of term of that office.

10 (b) (1) ~~[No person or any other entity shall make~~
11 ~~contributions to a noncandidate committee, in an~~
12 ~~aggregate amount greater than \$1,000 in an election.]~~

13 A company may contribute an unlimited amount from its
14 treasury into a noncandidate committee that is
15 established by the company;

16 (2) A company shall make all contributions to candidates
17 or candidate's committees in accordance with paragraph
18 (a) (1).

19 (c) A candidate's immediate family, in making
20 contributions to the candidate's campaign, shall be exempt from
21 the above limitation, but shall be limited in the aggregate to
22 \$50,000 in any election period. The aggregate amount of \$50,000



1 shall include any loans made for campaign purposes to the
2 candidate from the candidate's immediate family.

3 (d) A contribution by a dependent minor shall be reported
4 in the name of the minor but shall be counted against the
5 contribution of the minor's parent or guardian.

6 (e) Any candidate, candidate's committee, or committee
7 that receives in the aggregate more than the applicable limits
8 set forth in this section in any primary, initial special,
9 special, or general election from a person, shall be required to
10 return any excess contribution to the original donor within
11 thirty days of receipt of the excess contribution. Any excess
12 contribution not returned to the original donor within thirty
13 days shall escheat to the Hawaii election campaign fund. A
14 candidate, candidate's committee, or committee who complies with
15 this subsection prior to the initiation of prosecution shall not
16 be subject to any penalty under section 11-228.

17 (f) All payments made by a person or political party whose
18 contributions or expenditure activity is financed, maintained,
19 or controlled by any corporation, labor organization,
20 association, political party, or any other person or committee,
21 including any parent, subsidiary, branch, division, department,
22 or local unit of the corporation, labor organization,



1 association, political party, political committees established
2 and maintained by a national political party, or any other
3 person, or by any group of those persons shall be considered to
4 be made by a single person or political party.

5 (g) An individual and any general partnership in which the
6 individual is a partner shall be treated as one person.

7 (h) No committee that supports or opposes a candidate for
8 public office shall have as officers individuals who serve as
9 officers on any other committee which supports or opposes the
10 same candidate. No such committee shall act in concert with, or
11 solicit or make contributions on behalf of, any other committee.

12 (i) No contributions or expenditures shall be made to or
13 on behalf of a candidate or committee by a foreign national or
14 foreign corporation, including a domestic subsidiary of a
15 foreign corporation, a domestic corporation that is owned by a
16 foreign national, or a local subsidiary where administrative
17 control is retained by the foreign corporation, and in the same
18 manner prohibited under 2 United States Code [~~section~~] Section
19 441e and 11 Code of Federal Regulations 110.20, as amended. No
20 foreign-owned domestic corporation shall make contributions
21 where:



1 (1) Foreign national individuals participate in election-
2 related activities such as decisions concerning the
3 making of contributions or the administration of a
4 political committee; or

5 (2) The contribution funds are not domestically-derived.

6 (j) No person or any other entity other than political
7 committees established and maintained by a national political
8 party shall make contributions to a political party in an
9 aggregate amount greater than \$25,000 in any two-year election
10 period. No political committee established and maintained by a
11 national political party, shall make contributions to a
12 political party in an aggregate amount greater than \$50,000 in
13 any two-year election period. A company's noncandidate
14 committee may make a contribution to a political party in
15 accordance with the same conditions and restrictions as
16 applicable to a "person."

17 (k) For the purpose of this section, "company" means a
18 corporation, partnership, limited liability company, limited
19 liability partnership, financial institution, or any other
20 entity engaged in business.



1 [~~(k)~~] (l) The contribution limits under this section shall
2 apply for the office sought by the candidate. This section
3 shall not apply to ballot issue committees."

4 SECTION 2. Statutory material to be repealed is bracketed
5 and stricken. New statutory material is underscored.

6 SECTION 3. This Act shall take effect upon its approval.



Report Title:

Elections; Campaign Contributions

Description:

Allows companies to make contributions to candidates or candidate's committees. Allows companies to contribute an unlimited amount to their own noncandidate committees. Allows a company's noncandidate committee to make a contribution to a political party. Removes the limit on contributions by persons or any other entities to noncandidate committees. (HB539 HD1)

