

JAN 28 2009

A BILL FOR AN ACT

RELATING TO CAMPAIGN FINANCE.

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

1 SECTION 1. Section 11-205.5, Hawaii Revised Statutes, is
2 amended to read as follows:
3 "§11-205.5 Campaign contributions by state and county
4 contractors[-] and applicants for and recipients of grants and
5 subsidies. (a) It shall be unlawful for the person who enters
6 into any contract with the State, any of its counties, or any
7 department or agency thereof, either for the rendition of
8 personal services, the buying of property, or the furnishing of
9 any material, supplies, or equipment to the State, any of its
10 counties, or any department or agency thereof, or for the
11 selling of any land or building to the State, any of its
12 counties, or any department or agency thereof, if payment for
13 the performance of the contract or payment for the material,
14 supplies, equipment, land, property, or building is to be made
15 in whole or in part from funds appropriated by the legislative
16 body, at any time between the [~~execution of the contract~~]



1 submission of a bid for a contract under chapter 103D through
2 the completion of the contract, to:

3 (1) Directly or indirectly make any contribution or to
4 promise expressly or impliedly to make any
5 contribution to any political party, committee, or
6 candidate or to any person for any political purpose
7 or use; or

8 (2) Knowingly solicit any contribution from any person for
9 any purpose during any period.

10 (b) It shall be unlawful for any applicant for or
11 recipient of a grant or subsidy administered under chapter 42F,
12 at any time between the submission of the grant or subsidy
13 application through the completion or expiration of the grant or
14 subsidy award, to:

15 (1) Directly or indirectly make any contribution or to
16 promise expressly or impliedly to make any
17 contribution to any political party, committee, or
18 candidate or to any person for any political purpose
19 or use; or

20 (2) Knowingly solicit any contribution from any person for
21 any purpose during any period.



1 ~~[(b)]~~ (c) This section does not prohibit or make unlawful
2 the establishment or administration of, or the solicitation of
3 contributions to, any separate segregated fund by any state or
4 national bank, corporation, or labor organization for the
5 purpose of influencing the nomination for election or the
6 election of any person to office; provided that the commission
7 shall by rule establish contribution limits for limited
8 liability companies as defined in section 428-101, limited
9 liability partnerships as defined in section 425-101, and
10 limited liability limited partnerships as defined in section
11 425E-102. Sole proprietors subject to this section shall comply
12 with applicable campaign contribution limits in section 11-204.

13 ~~[(e)]~~ (d) For purposes of this section~~[, "completion of~~
14 ~~the contract"]~~;

15 "Applicant", "recipient" or "person", includes members of
16 boards of directors and officers of an entity making or
17 soliciting a campaign contribution, or any lobbyist acting on
18 their behalf.

19 "Completion of the contract" means that the parties to the
20 government contract have either terminated the contract prior to
21 completion of performance or fully performed the duties and
22 obligations under the contract, no disputes relating to the



1 performance and payment remain under the contract, and all
2 disputed claims have been adjudicated and are final."

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

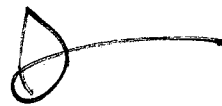
6 SECTION 3. Statutory material to be repealed is bracketed
7 and stricken. New statutory material is underscored.

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

9

INTRODUCED BY:




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Report Title:

Campaign Contributions

Description:

Expands prohibition of campaign donations from persons who hold contracts with the government to include contractors who are recipients of grants or subsidies awarded under chapter 42F, Hawaii Revised Statutes. Extends prohibition period to begin at submission of a bid for a contract or application for a grant. Includes in the prohibition certain persons and lobbyists of an entity making a campaign contribution.

