
A BILL FOR AN ACT

RELATING TO CAMPAIGN FINANCING.

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

1 SECTION 1. Section 11-204.5, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "**§11-204.5 Limit on contributions from nonresident**
4 **individuals and persons.** (a) Contributions from all persons,
5 except for a member of the candidate's immediate family, who are
6 not residents of the State at the time the contributions are
7 made, including a noncandidate committee organized under the
8 laws of another state and whose participants are not residents
9 of the State, shall not exceed [~~twenty~~] _____ per cent of the
10 total contributions received by a candidate or candidate's
11 committee for each reporting period.

12 (b) If the candidate or candidate's committee returns or
13 refunds a contribution or contributions that exceed _____ per
14 cent of the total contributions received during a reporting
15 period within seven days of the last day of the reporting
16 period, the candidate and candidate committee shall not be in
17 violation of this section."

1 SECTION 2. Section 11-207.6, Hawaii Revised Statutes, is
2 amended by amending as follows:

3 1. By amending subsection (a) to read:

4 "(a) Every person who makes a disbursement for
5 electioneering communications in an aggregate amount of more
6 than \$2,000 during any calendar year [~~shall~~], within twenty-four
7 hours of each disclosure date provided in this section, shall
8 file with the commission a statement of information described in
9 subsection (b)."

10 2. By amending subsection (c) to read:

11 "(c) For the purposes of this section:

12 "Disclosure date" means, for every calendar year, the first
13 date by which a person has made disbursements during that same
14 calendar year of more than \$2,000, in the aggregate, for
15 electioneering communications, and the date of any subsequent
16 disbursements by that person for electioneering communications.

17 "Electioneering communication" means any advertising:

18 (1) [~~(A)~~] Broadcast from a cable, satellite, television, or
19 radio broadcast station;

20 [~~(B)~~] (2) Published in any periodical or newspaper; or

21 [~~(C)~~] (3) Sent by mail at a bulk rate;

1 [~~(2) That~~] that refers to a clearly identifiable
2 candidate[+] and
3 [~~(3) Is~~] is made, or scheduled to be made, either within
4 thirty days prior to a primary or initial special
5 election or within sixty days prior to a general or
6 special election.

7 "Electioneering communication" shall not include communications:

- 8 (1) In a news story or editorial disseminated by any
9 broadcast station or publisher of periodicals or
10 newspapers, unless the facilities are owned or
11 controlled by any political party, political
12 committee, or candidate;
- 13 (2) That constitute expenditures by the disbursing
14 organization;
- 15 (3) In in-house bulletins; or
- 16 (4) That constitute a candidate debate or forum, or solely
17 promote a debate or forum and are made by or on behalf
18 of the person sponsoring the debate or forum."

19 SECTION 3. Section 11-212, Hawaii Revised Statutes, is
20 amended to read as follows:

21 "**§11-212 Preliminary reports.**

1 (a) (1) [~~The candidate committee of each~~] Each candidate whose
2 name will appear on the ballot in the immediately
3 succeeding election shall file a preliminary report.
4 Preliminary reports shall be filed on the following
5 dates:

6 (A) July [~~thirty-first~~] 31 of the year of the primary
7 election;

8 (B) Ten calendar days prior to each primary and
9 initial special election; and

10 (C) Ten calendar days prior to a special or general
11 election.

12 (2) Each report shall be certified pursuant to section 11-
13 195 and shall contain the following information which
14 shall be current through June 30 prior to the filing
15 of the report filed on [~~the thirty-first of~~] July 31
16 and the fifth calendar day prior to the filing of
17 other preliminary reports:

18 (A) The aggregate sum of all contributions and other
19 campaign receipts received;

20 (B) The amount and date of deposit of the
21 contribution and the name and address of each
22 donor who contributes an aggregate of more than

1 \$100 during an election period, which has not
2 previously been reported; provided that if all
3 the information is not on file, the contribution
4 shall be returned to the donor within thirty days
5 of deposit;

6 (C) The amount and date of deposit of each
7 contribution and the name, address, employer, and
8 occupation of each donor who contributes an
9 aggregate of \$1,000 or more during an election
10 period, which has not previously been reported;
11 provided that if all the information is not on
12 file, the contribution shall be returned to the
13 donor within thirty days of deposit;

14 (D) All expenditures made, incurred, or authorized by
15 or for a candidate, including the name and
16 address of each payee and the amount, date, and
17 purpose of each expenditure; and

18 (E) A current statement of the balance on hand or
19 deficit.

20 (b) Each noncandidate committee shall file a preliminary
21 report with the commission on the tenth calendar day prior to
22 each primary election and the tenth calendar day prior to a

1 special or general election. Each report shall be certified
2 pursuant to section 11-195 and shall contain the following
3 information, which shall be current through the fifth calendar
4 day prior to the filing of a preliminary report:

5 (1) The aggregate sum of all contributions and other
6 campaign receipts received;

7 (2) The amount and date of deposit of the contribution and
8 the name, address, employer, and occupation of each
9 donor who contributes an aggregate of \$100 or more
10 during an election period, which has not previously
11 been reported; provided that if all the information is
12 not on file, the contribution shall be returned to the
13 donor within thirty days of deposit;

14 (3) The amount and date of each disbursement or
15 contribution made to a candidate, party, organization,
16 or committee, including the name and address of each
17 payee, which has not previously been reported;

18 (4) The amount and date of each expenditure made or
19 incurred by the committee for or against any
20 candidate, ballot issue, or on behalf of another
21 committee, which has not previously been reported; and

22 (5) A current statement of the balance on hand.

1 (c) The candidate's committee and noncandidate committee
2 shall itemize disbursements to consultants, advertising agencies
3 and similar firms, credit card payments, salaries, and candidate
4 reimbursements to permit a reasonable person to determine the
5 ultimate intended recipient of the expenditure and its purpose.

6 [~~(d) A candidate, party, or committee whose aggregate
7 contributions and aggregate expenditures for the reporting
8 period each total \$2,000 or less may file a short form report
9 with the commission in lieu of the reports required by this
10 section and section 11-213.~~

11 ~~(e)]~~ (d) Notwithstanding this section and section 11-213,
12 a candidate, party, or committee whose aggregate contributions
13 and aggregate expenditures for the election period total \$1,000
14 or less, need not file a preliminary and final primary report, a
15 preliminary and final general report, or a special election
16 report, but shall file only a final election period report."

17 SECTION 4. Statutory material to be repealed is bracketed
18 and stricken. New statutory material is underscored.

19 SECTION 5. This Act shall take effect on July 1, 2050.

Report Title:

Campaign Contributions; Preliminary Reports

Description:

Establishes a grace period during which a candidate or candidate's committee may return or refund contributions. Changes 20% contributions cap to an unspecified amount. Effective 7/1/2050. (SD1)