
A BILL FOR AN ACT

RELATING TO CAMPAIGN SPENDING.

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

1 SECTION 1. Section 11-302, Hawaii Revised Statutes, is
2 amended as follows:

3 1. By adding three new definitions to be appropriately
4 inserted and to read:

5 "Address" means a street address, post office box address,
6 or mail box address, and the zip code; but does not include a
7 website address.

8 "Automated phone call" means any outbound telephone call or
9 electronic voice message that plays a recorded message that
10 advocates, supports, or opposes:

- 11 (1) The nomination or election of a candidate; or
12 (2) A question or issue certified to be on the ballot in
13 the next election.

14 "Matching payment period" means:
15 (1) For a primary election, from January 1 of the year of
16 a general election through the day of the primary
17 election, or nine months prior to a special election
18 through the day of a special election; and



1 (2) For a general election, from January 1 of the year of
2 the general election through the day of the general
3 election."

4 2. By amending the definition of "advertisement" to read:
5 "Advertisement" means any communication, including an
6 automated phone call, but excluding sundry items such as bumper
7 stickers, that:

8 (1) Identifies a candidate directly or by implication, or
9 identifies an issue or question that will appear on
10 the ballot at the next applicable election; and

11 (2) Advocates or supports the nomination, opposition, or
12 election of the candidate, or advocates the passage or
13 defeat of the issue or question on the ballot."

14 SECTION 2. Section 11-314, Hawaii Revised Statutes, is
15 amended to read as follows:

16 "~~§~~11-314 ~~§~~ Duties of the commission. The duties of
17 the commission under this part are to:

18 (1) Develop and adopt forms required by this part;

19 (2) Adopt and publish a manual for all candidates,
20 candidate committees, and noncandidate committees,
21 describing the requirements of this part, including
22 uniform and simple methods of recordkeeping;



- 1 (3) Preserve all reports required by this part for at
2 least ten years from the date of receipt by the
3 commission;
- 4 (4) Permit the inspection, copying, or [~~duplicating~~]
5 duplication of any report required by this part
6 pursuant to rules adopted by the commission under
7 chapter 91; provided that this paragraph shall not
8 apply to the sale or use of information under section
9 11-344;
- 10 (5) Ascertain whether any candidate, candidate committee,
11 noncandidate committee, or party has failed to file a
12 report required by this part or has filed a
13 substantially defective or deficient report. The
14 commission shall notify these persons by first class
15 mail that a fine may be assessed for the failure to
16 file or the filing of a substantially defective or
17 deficient report, and the defective or deficient
18 report shall be corrected and explained. All fines
19 collected under this section as authorized by
20 [~~section~~] sections 11-340 and 11-410 shall be
21 deposited in the general fund of the State;
- 22 (6) Hold public hearings;



- 1 (7) Investigate and hold hearings for receiving evidence
- 2 of any violations pursuant to subpart I of this part;
- 3 (8) Adopt rules pursuant to chapter 91;
- 4 (9) Request the initiation of prosecution for the
- 5 violation of this part pursuant to section 11-411;
- 6 (10) Administer and monitor the distribution of public
- 7 funds under this part;
- 8 (11) Suggest accounting methods for candidates, candidate
- 9 committees, or noncandidate committees in connection
- 10 with reports and records required by this part;
- 11 (12) Employ or contract with, without regard to chapters
- 12 76, 78, and 89, persons it finds necessary for the
- 13 performance of its functions, including a full-time
- 14 executive director, and to fix their compensation;
- 15 provided that the commission shall have the authority,
- 16 at its discretion, to dismiss persons employed by or
- 17 contracted with the commission;
- 18 (13) Conduct random audits and field investigations, as
- 19 necessary; and
- 20 (14) File for injunctive relief when indicated."

21 SECTION 3. Section 11-321, Hawaii Revised Statutes, is
22 amended to read as follows:



1 "[+]§11-321[+] Registration of candidate committee or
2 noncandidate committee[-]; organizational reports; fines. (a)

3 Each candidate committee or noncandidate committee shall
4 register with the commission by filing an organizational report
5 as set forth in section 11-322 or 11-323, as applicable.

6 (b) Before filing the organizational report, each
7 candidate committee or noncandidate committee shall mail or
8 deliver an electronic filing form to the commission.

9 (c) The electronic filing form shall include a written
10 acceptance of appointment and certification of each report, as
11 follows:

12 (1) A candidate committee shall file a written acceptance
13 of appointment by the chairperson and treasurer and a
14 certification by the candidate and treasurer [~~of each~~
15 ~~filed report;~~] that the information on the
16 electronically filed report is true and accurate; or

17 (2) A noncandidate committee shall file a written
18 acceptance of appointment by the chairperson and
19 treasurer and a certification by the chairperson and
20 treasurer [~~of each filed report.~~] that the information
21 on the electronically filed report is true and
22 accurate.



1 (d) The organizational report for a candidate committee
2 shall be filed within ten days of the earlier of:

3 (1) The date the candidate files nomination papers for
4 office; or

5 (2) The date the candidate or candidate committee receives
6 contributions or makes or incurs expenditures of more
7 than \$100 in the aggregate during the applicable
8 election period.

9 (e) An organizational report need not be filed under this
10 section by an elected official who is a candidate for reelection
11 to the same office in successive elections and has not sought
12 election to any other office during the period between
13 elections, unless the candidate is required to report a change
14 in information pursuant to section [~~11-323.~~] 11-322.

15 (f) A candidate shall have only one candidate committee.

16 (g) The organizational report for a noncandidate committee
17 shall be filed within ten days of receiving contributions or
18 making or incurring expenditures of more than \$1,000, in the
19 aggregate, in a two-year election period; provided that within
20 the thirty-day period prior to an election, a noncandidate
21 committee shall register by filing an organizational report
22 within two days of receiving contributions or making or



1 incurring expenditures of more than \$1,000, in the aggregate, in
2 a two-year election period.

3 (h) A candidate committee or noncandidate committee that
4 fails to file an organizational report by the due date shall be
5 subject to a fine of \$100."

6 SECTION 4. Section 11-331, Hawaii Revised Statutes, is
7 amended to read as follows:

8 "[~~H~~§11-331[~~]~~] **Filing of reports, generally.** (a) Every
9 report required to be filed by a candidate or candidate
10 committee shall be certified as true and accurate by the
11 candidate and treasurer.

12 (b) Every report required to be filed by a noncandidate
13 committee shall be certified as true and accurate by the
14 chairperson and treasurer.

15 (c) All reports required to be filed under this part shall
16 be filed on the commission's electronic filing system.

17 (d) For purposes of this part, whenever a report is
18 required to be filed with the commission, "filed" means that a
19 report shall be filed with the commission's electronic filing
20 system by the date and time specified for the filing of the
21 report by:



1 (1) The candidate or candidate committee of a candidate
2 who is seeking election to the:

- 3 (A) Office of governor;
- 4 (B) Office of lieutenant governor;
- 5 (C) Office of mayor;
- 6 (D) Office of prosecuting attorney;
- 7 (E) County council;
- 8 (F) Senate;
- 9 (G) House of representatives; or
- 10 (H) Office of Hawaiian affairs; or
- 11 [~~(I) Board of education;~~

12 ~~or~~]

13 (2) A noncandidate committee required to be registered
14 with the commission pursuant to section [~~11-323.~~] 11-
15 321.

16 (e) To be timely filed, a committee's reports shall be
17 filed with the commission's electronic filing system on or
18 before 11:59 p.m. Hawaiian standard time on the filing date
19 specified.

20 (f) All reports filed under this part are public records."

21 SECTION 5. Section 11-334, Hawaii Revised Statutes, is
22 amended by amending subsection (a) to read as follows:



1 "(a) The candidate and treasurer of the candidate
2 committee of each candidate whose name will appear on the ballot
3 in the immediately succeeding election shall file preliminary,
4 final, and supplemental reports.

5 (1) The filing dates for preliminary reports are:

6 (A) July [~~31~~] 5 of the election year;

7 (B) Ten calendar days prior to a primary, each
8 special, or each nonpartisan election; [~~and~~]

9 (C) September 30 of the election year; and

10 [~~(C)~~] (D) Ten calendar days prior to a general election;
11 provided that this preliminary report does not
12 need to be filed by a candidate who is
13 unsuccessful in a primary, special, or
14 nonpartisan election or a candidate who is
15 elected to office in the primary, initial
16 special, or initial nonpartisan election.

17 Each preliminary report shall be current through
18 June 30 for the report filed on July [~~31~~] 5 and
19 current through the fifth calendar day before the
20 filing deadline of other preliminary reports.

21 (2) The filing date for the final primary report is twenty
22 calendar days after a primary, initial special, or



1 initial nonpartisan election. The report shall be
 2 current through the day of the applicable election.
 3 (3) The filing date for the final election period report
 4 is thirty calendar days after a general, subsequent,
 5 subsequent special, or subsequent nonpartisan
 6 election. The report shall be current through the day
 7 of the applicable election. The final election period
 8 report shall be filed by a candidate who is
 9 unsuccessful in a primary, initial special, or initial
 10 nonpartisan election or a candidate who is elected to
 11 office in the primary, initial special, or initial
 12 nonpartisan election.

13 (4) The filing dates for supplemental reports are:
 14 (A) January 31 after an election year; and
 15 (B) July 31 after an election year.

16 The report shall be current through December 31 for
 17 the report filed on January 31 and current through
 18 June 30 for the report filed on July 31."

19 SECTION 6. Section 11-335, Hawaii Revised Statutes, is
 20 amended by amending subsections (a) and (b) to read as follows:

21 "(a) The authorized person in the case of a party, or the
 22 treasurer in the case of a noncandidate committee that is not a



1 party, shall file preliminary, final, and supplemental reports
2 that disclose the following information:

- 3 (1) The noncandidate committee's name and address;
- 4 (2) The cash on hand at the beginning of the reporting
5 period and election period;
- 6 (3) The reporting period and election period aggregate
7 totals for each of the following categories:
- 8 (A) Contributions[+] received;
- 9 (B) Contributions made;
- 10 [~~(B)~~] (C) Expenditures; and
- 11 [~~(C)~~] (D) Other receipts;
- 12 (4) The cash on hand at the end of the reporting period;
13 and
- 14 (5) The surplus or deficit at the end of the reporting
15 period.

16 (b) Schedules filed with the reports shall include the
17 following additional information:

- 18 (1) The amount and date of deposit of each contribution
19 received and the name, address, occupation, and
20 employer of each contributor making a contribution
21 aggregating more than \$100 during an election period,
22 which was not previously reported; provided that if



1 all the information is not on file, the contribution
2 shall be returned to the contributor within thirty
3 days of deposit;

4 (2) The amount and date of each contribution made, and the
5 name and address of the candidate committee or
6 noncandidate committee to which the contribution was
7 made;

8 ~~[(2)]~~ (3) All expenditures, including the name and address
9 of each payee and the amount, date, and purpose of
10 each expenditure [-]; provided that:

11 (A) Expenditures for consultants, advertising
12 agencies and similar firms, credit card payments,
13 salaries, and candidate reimbursements shall be
14 itemized to permit a reasonable person to
15 determine the ultimate intended recipient of the
16 expenditure and its purpose; and

17 (B) The purpose of an independent expenditure shall
18 include the name of the candidate who is
19 supported or opposed by the expenditure, and
20 whether the expenditure supports or opposes the
21 candidate;



1 ~~[(3)]~~ (4) The amount, date of deposit, and description of
2 other receipts and the name and address of the source
3 of each of the other receipts;

4 ~~[(4)]~~ (5) A description of each durable asset, the date of
5 acquisition, value at the time of acquisition, and the
6 name and address of the vendor or contributor of the
7 asset; and

8 ~~[(5)]~~ (6) The date of disposition of a durable asset, value
9 at the time of disposition, method of disposition, and
10 name and address of the person receiving the asset."

11 SECTION 7. Section 11-336, Hawaii Revised Statutes, is
12 amended by amending subsection (a) to read as follows:

13 "(a) The filing dates for preliminary reports are:

14 (1) Ten calendar days prior to ~~[a]~~ each primary, special,
15 or nonpartisan election; and

16 (2) Ten calendar days prior to a general election.

17 Each preliminary report shall be current through the fifth
18 calendar day prior to the filing of the report."

19 SECTION 8. Section 11-341, Hawaii Revised Statutes, is
20 amended as follows:

21 "~~[-]~~ §11-341 ~~[+]~~ **Electioneering communications; statement of**
22 **information.** (a) Each person who makes ~~[a disbursement]~~ an



1 expenditure for electioneering communications in an aggregate
2 amount of more than \$2,000 during any calendar year shall file
3 with the commission a statement of information within twenty-
4 four hours of each disclosure date provided in this section.

5 (b) Each statement of information shall contain the
6 following:

- 7 (1) The name and address of the person making the
8 [~~disbursement,~~] expenditure, name of any person or
9 entity sharing or exercising discretion or control
10 over [~~such~~] the person[~~,~~] making the expenditure, and
11 the custodian of the books and accounts of the person
12 making the [~~disbursement,~~] expenditure;
- 13 (2) The state of incorporation and principal place of
14 business or, for an individual, the address of the
15 person making the [~~disbursement,~~] expenditure;
- 16 (3) The amount of each [~~disbursement~~] expenditure during
17 the period covered by the statement, the date and
18 purpose of each expenditure, and the [~~identification~~
19 ~~of the person to whom the disbursement was made,~~] name
20 and address of each payee;



- 1 (4) The elections to which the electioneering
2 communications pertain and the names, if known, of the
3 candidates identified or to be identified;
- 4 ~~[(5) If the disbursements were made by a candidate~~
5 ~~committee or noncandidate committee, the names and~~
6 ~~addresses of all persons who contributed to the~~
7 ~~candidate committee or noncandidate committee for the~~
8 ~~purpose of publishing or broadcasting the~~
9 ~~electioneering communications;~~
- 10 ~~(6)]~~ (5) If the ~~[disbursements]~~ expenditures were made by
11 an organization other than a ~~[candidate committee or]~~
12 noncandidate committee, the names and addresses of all
13 persons who contributed to the organization for the
14 purpose of publishing or broadcasting the
15 electioneering communications; and
- 16 ~~[(7)]~~ (6) Whether or not any electioneering communication
17 is made in coordination, cooperation, or concert with
18 or at the request or suggestion of any candidate,
19 candidate committee, ~~[or noncandidate committee,]~~ or
20 agent of any candidate if any, and if so, the
21 identification of the candidate, ~~[a]~~ candidate



1 committee [~~or a noncandidate committee~~], or agent
2 involved.

3 (c) For purposes of this section:

4 "Disclosure date" means, for every calendar year, the first
5 date by which a person has made [~~disbursements~~] expenditures
6 during that same year of more than \$2,000 in the aggregate for
7 electioneering communications, and the date of any subsequent
8 [~~disbursements~~] expenditures exceeding \$1,000 in the aggregate
9 by that person for electioneering communications.

10 "Electioneering communication" means any advertisement that
11 is broadcast from a cable, satellite, television, or radio
12 broadcast station; published in any periodical or newspaper; or
13 sent by mail at a bulk rate, and that:

- 14 (1) Refers to a clearly identifiable candidate;
- 15 (2) Is made, or scheduled to be made, either within thirty
16 days prior to a primary or initial special election or
17 within sixty days prior to a general or special
18 election; and
- 19 (3) Is not susceptible to any reasonable interpretation
20 other than as an appeal to vote for or against a
21 specific candidate.



1 "Electioneering communication" shall not include
2 communications:

3 (1) In a news story or editorial disseminated by any
4 broadcast station or publisher of periodicals or
5 newspapers, unless the facilities are owned or
6 controlled by a candidate, candidate committee, or
7 noncandidate committee;

8 (2) That constitute expenditures by [~~the disbursing~~
9 ~~organization;~~] a registered candidate committee or
10 noncandidate committee;

11 (3) In house bulletins; or

12 (4) That constitute a candidate debate or forum, or solely
13 promote a debate or forum and are made by or on behalf
14 of the person sponsoring the debate or forum.

15 (d) For purposes of this section, a person shall be
16 treated as having made [~~a disbursement~~] an expenditure if the
17 person has executed a contract to make the [~~disbursement.~~]
18 expenditure.

19 (e) A person who is required by this section to file an
20 electioneering communications statement and fails to do so by
21 the due date shall be subject to a fine of \$100."



1 SECTION 9. Section 11-342, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "[~~H~~] §11-342 [~~H~~] Fundraiser; notice of intent. (a) No
4 fundraiser shall be held unless a notice of intent to hold the
5 fundraiser is filed with the commission setting forth the name
6 and address of the person in charge, the price per person, the
7 date, hour, and place of the fundraiser, and the method thereof.

8 (b) The person in charge of the fundraiser shall file the
9 notice with the commission prior to the fundraiser.

10 (c) As used in this section, "fundraiser" means any
11 function held for the benefit of a candidate, candidate
12 committee, or noncandidate committee that is intended or
13 designed, directly or indirectly, to raise contributions for
14 which the price or suggested contribution for attending the
15 function is more than \$25 per person.

16 (d) A person who is required by this section to file a
17 notice of intent to hold a fundraiser and fails to do so prior
18 to the fundraiser shall be subject to a fine of \$100."

19 SECTION 10. Section 11-355, Hawaii Revised Statutes, is
20 amended by amending subsection (b) to read as follows:"

21 "(b) [~~Except as provided in subsection (a), this] This
22 section does not prohibit or make unlawful [~~the~~]:~~



1 (1) The establishment or administration of, or the
 2 solicitation of contributions to, any noncandidate
 3 committee by any person other than the state or county
 4 contractor for the purpose of influencing the
 5 nomination for election, or the election of any person
 6 to office[-]; or

7 (2) Contributions to a ballot issue noncandidate
 8 committee."

9 SECTION 11. Section 11-359, Hawaii Revised Statutes, is
 10 amended by amending subsection (b) to read as follows:

11 "(b) A contribution by the candidate's immediate family
 12 shall be exempt from section [~~11-355~~] 11-357, but shall be
 13 limited in the aggregate to \$50,000 in any election period;
 14 provided that the aggregate amount of loans and contributions
 15 received from the candidate's immediate family does not exceed
 16 \$50,000 during an election period."

17 SECTION 12. Section 11-381, Hawaii Revised Statutes, is
 18 amended by amending subsection (a) to read as follows:

19 "(a) Campaign funds may be used by a candidate, treasurer,
 20 or candidate committee:

21 (1) For any purpose directly related:



- 1 (A) In the case of the candidate, to the candidate's
2 own campaign; or
- 3 (B) In the case of a candidate committee or treasurer
4 of a candidate committee, to the campaign of the
5 candidate, question, or issue with which they are
6 directly associated;
- 7 (2) To purchase or lease consumer goods, vehicles,
8 equipment, and services that provide a mixed benefit
9 to the candidate. The candidate, however, shall
10 reimburse the candidate's candidate committee for the
11 candidate's personal use unless the personal use is de
12 minimis;
- 13 (3) To make donations to any community service,
14 educational, youth, recreational, charitable,
15 scientific, or literary organization; provided that in
16 any election period, the total amount of all donations
17 shall be no more than twice the maximum amount that
18 one person may contribute to that candidate pursuant
19 to section 11-357; provided further that no
20 contributions shall be made from the date the
21 candidate files nomination papers to the date of the
22 general election;



- 1 (4) To make donations to any public school or public
2 library; provided that in any election period, the
3 total amount of all contributions shall be no more
4 than twice the maximum amount that one person may
5 contribute to that candidate pursuant to section 11-
6 357; provided further that any donation under this
7 paragraph shall not be aggregated with or imputed
8 toward any limitation on donations pursuant to
9 paragraph (3);
- 10 (5) To purchase not more than two tickets with a maximum
11 price of _____ per ticket for each event held ~~[by]~~ for
12 the benefit of another candidate [or], candidate
13 committee, or noncandidate committee, whether or not
14 the event constitutes a fundraiser as defined in
15 section 11-342;
- 16 (6) To make contributions to the candidate's party so long
17 as the contributions are not earmarked for another
18 candidate; or
- 19 (7) To pay for ordinary and necessary expenses incurred in
20 connection with the candidate's duties as a holder of
21 an office."



1 SECTION 13. Section 11-391, Hawaii Revised Statutes, is
2 amended to read as follows:

3 " ~~[+]~~ §11-391 ~~[+]~~ **Advertisements.** (a) Any advertisement
4 shall contain:

5 (1) The name and address of the candidate, candidate
6 committee, noncandidate committee, or other person
7 paying for or placing the advertisement; and

8 (2) A notice in a prominent location stating either that:

9 (A) The advertisement is published, broadcast,
10 televised, or circulated with the approval and
11 authority of the candidate; provided that an
12 advertisement paid for by a candidate, candidate
13 committee, or ballot issue committee does not
14 need to include the notice; or

15 (B) The advertisement is published, broadcast,
16 televised, or circulated without the approval and
17 authority of the candidate.

18 (b) The fine for violation of this section, if assessed by
19 the commission, shall not exceed \$25 for each advertisement that
20 lacks the information required by this section, and shall not
21 exceed an aggregate amount of \$5,000.



1 (c) The information required in subsection (a) shall be
2 stated at the beginning of an automated phone call."

3 SECTION 14. Section 11-422, Hawaii Revised Statutes, is
4 amended by amending subsection (b) to read as follows:

5 "(b) For the purpose of the partial funding program, if
6 the Hawaii election campaign fund is close to depletion as
7 determined by the commission, the commission shall determine the
8 amounts available to eligible candidates based on their order of
9 eligibility in qualifying for partial public funds, as
10 determined by the date of filing of an application for public
11 funds with the commission pursuant to section [~~11-428~~] 11-430;
12 provided that the application has been accepted by the
13 commission."

14 SECTION 15. Section 11-423, Hawaii Revised Statutes, is
15 amended as follows:

16 1. By amending subsection (b) to read:

17 "(b) The affidavit shall state that the candidate knows
18 the voluntary campaign expenditure limitations as set out in
19 this part and that the candidate is voluntarily agreeing to
20 limit the candidate's expenditures and those made on the
21 candidate's behalf by the amount set by law. The affidavit
22 shall be subscribed to by the candidate and notarized[+] and



1 filed no later than the time of filing nomination papers with
2 the chief election officer or county clerk."

3 2. By amending subsection (d) to read:

4 "(d) From January 1 of the year of any primary, special,
5 or general election, the aggregate expenditures for each
6 election by a candidate who voluntarily agrees to limit campaign
7 expenditures, inclusive of all expenditures made or authorized
8 by the candidate alone, all treasurers, the candidate committee,
9 and noncandidate committees on the candidate's behalf, shall not
10 exceed the following amounts expressed, respectively multiplied
11 by the number of voters in the last preceding general election
12 registered to vote in each respective voting district:

- 13 (1) For the office of governor - \$2.50;
14 (2) For the office of lieutenant governor - \$1.40;
15 (3) For the office of mayor - \$2.00;
16 (4) For the offices of state senator, state
17 representative, ~~[and]~~ county council member, and
18 prosecuting attorney - \$1.40; and
19 (5) For ~~[the board of education and]~~ all other offices -
20 20 cents."

21 SECTION 16. Section 11-426, Hawaii Revised Statutes, is
22 amended to read as follows:



1 " ~~[+] §11-426 [±]~~ Candidate exceeds voluntary expenditure
2 limit. A candidate who files the affidavit agreeing to limit
3 expenditures and who exceeds the expenditure limit for that
4 election shall:

5 (1) Notify all opponents, the chief election officer, and
6 the commission by telephone and writing on the day the
7 expenditure limit is exceeded; and

8 (2) Pay the balance of the full filing fee ~~[, and~~

9 ~~(3) Provide reasonable notice to all contributors within
10 thirty days of exceeding the limit that the
11 expenditure limit was exceeded and contributions to
12 the candidate no longer qualify for a state income tax
13 deduction]."~~

14 SECTION 17. Section 11-429, Hawaii Revised Statutes, is
15 amended by amending subsection (a) to read as follows:

16 "(a) As a condition of receiving public funds for a
17 primary or general election, a candidate shall not be unopposed
18 in any election for which public funds are sought, shall have
19 filed an affidavit with the commission pursuant to section 11-
20 423 to voluntarily limit the candidate's campaign expenditures,
21 and shall be in receipt of the following sum of qualifying



1 contributions in amounts of \$100 or less during each matching
2 payment period from individual residents of Hawaii:

3 (1) For the office of governor – qualifying contributions
4 that in the aggregate exceed \$100,000;

5 (2) For the office of lieutenant governor – qualifying
6 contributions that in the aggregate exceed \$50,000;

7 (3) For the office of mayor for each respective county:

8 (A) County of Honolulu – qualifying contributions
9 that in the aggregate exceed \$50,000;

10 (B) County of Hawaii – qualifying contributions that
11 in the aggregate exceed \$15,000;

12 (C) County of Maui – qualifying contributions that in
13 the aggregate exceed \$10,000; and

14 (D) County of Kauai – qualifying contributions that
15 in the aggregate exceed \$5,000;

16 (4) For the office of prosecuting attorney for each
17 respective county:

18 (A) County of Honolulu – qualifying contributions
19 that in the aggregate exceed \$30,000;

20 (B) County of Hawaii – qualifying contributions that
21 in the aggregate exceed \$10,000; and



- 1 (C) County of Kauai - qualifying contributions that
2 in the aggregate exceed \$5,000;
- 3 (5) For the office of county council - for each respective
4 county:
- 5 (A) County of Honolulu - qualifying contributions
6 that in the aggregate exceed \$5,000;
- 7 (B) County of Hawaii - qualifying contributions that
8 in the aggregate exceed \$1,500;
- 9 (C) County of Maui - qualifying contributions that in
10 the aggregate exceed \$5,000; and
- 11 (D) County of Kauai - qualifying contributions that
12 in the aggregate exceed \$3,000;
- 13 (6) For the office of state senator - qualifying
14 contributions that [7] in the aggregate exceed \$2,500;
- 15 (7) For the office of state representative - qualifying
16 contributions that [7] in the aggregate [7] exceed
17 \$1,500;
- 18 (8) For the office of Hawaiian affairs - qualifying
19 contributions that [7] in the aggregate [7] exceed
20 \$1,500; and
- 21 (9) For all other offices, qualifying contributions
22 that [7] in the aggregate [7] exceed \$500."



1 SECTION 18. Section 11-433, Hawaii Revised Statutes, is
2 amended to read as follows:

3 " ~~[+]§11-433 [±]~~ **Post-election report required.** (a) The
4 treasurer shall electronically submit an expenditure of public
5 funds report to the commission no later than twenty days after a
6 primary election and no later than thirty days after a general
7 election certifying that all public funds paid to the candidate
8 have been used as required by this part.

9 ~~[Should]~~ If the commission ~~[determine]~~ determines that any
10 portion of the public funds have been used for noncampaign or
11 other improper expenses, it shall report such finding to the
12 attorney general and shall order the candidate to return all or
13 part of the funds paid to that candidate for a primary or
14 general election. When public funds are returned, the funds
15 shall be deposited into the Hawaii election campaign fund.

16 (b) A treasurer who is required by this section to file an
17 expenditure of public funds report and fails to do so by the due
18 date shall be subject to a fine of \$100."

19 SECTION 19. Section 11-424, Hawaii Revised Statutes, is
20 repealed.

21 ~~["~~§11-424~~ Tax deduction for qualifying contributions.~~

22 ~~(a) An individual resident of Hawaii may claim a state income~~



1 ~~tax deduction pursuant to section 235-7(g)(2), for contributions~~
2 ~~to a candidate who files an affidavit pursuant to section 11-423~~
3 ~~and does not exceed the expenditure limit. Canceled checks or~~
4 ~~copies of the same shall be considered adequate receipt forms to~~
5 ~~attach to the tax form to claim the credit.~~

6 ~~(b) The commission shall forward a certified copy of the~~
7 ~~affidavit to the director of taxation.~~

8 ~~(c) If a candidate has not filed the affidavit pursuant to~~
9 ~~section 11-423, the candidate shall inform all contributors in~~
10 ~~writing immediately upon receipt of the contribution that they~~
11 ~~are not entitled to a tax deduction for their contributions to~~
12 ~~the candidate. The director of taxation shall not allow any~~
13 ~~contributor to take a deduction, pursuant to section 235-~~
14 ~~7(g)(2), for any contribution to a candidate for a statewide or~~
15 ~~county office who has not filed the affidavit pursuant to~~
16 ~~section 11-423."]~~

17 SECTION 20. This Act does not affect rights and duties
18 that matured, penalties that were incurred, and proceedings that
19 were begun before its effective date.

20 SECTION 21. Statutory material to be repealed is bracketed
21 and stricken. New statutory material is underscored.

22



1 SECTION 22. This Act shall take effect on January 7, 2059.

2



Report Title:

Campaign Finance

Description:

Provides regulation of automated phone calls, changes report filing deadlines, provides a cap on the price of fundraiser tickets that may be purchased with campaign funds, and applies notice and disclaimer requirements to an advertisement that is not paid for by an independent party. Effective January 7, 2059. (SD1)

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

