
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 all
16 electronically filed reports 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 all electronically filed reports 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) The fine for not filing an organizational report by
4 the due date is \$100."

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

7 "[~~+~~]**\$11-331**[~~+~~] **Filing of reports, generally.** (a) Every
8 report required to be filed by a candidate or candidate
9 committee shall be certified as true and accurate by the
10 candidate and treasurer.

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

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

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

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



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

10 or

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

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

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

19 SECTION 5. Section 11-334, Hawaii Revised Statutes, is
20 amended to read as follows:

21 "[~~†~~]**§11-334[†]** **Time for candidate committee to file**
22 **preliminary, final, and supplemental reports.** (a) The



1 candidate and treasurer of the candidate committee of each
2 candidate whose name will appear on the ballot in the
3 immediately succeeding election shall file preliminary, final,
4 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) Ten calendar days prior to a general election;
10 provided that this preliminary report does not
11 need to be filed by a candidate who is
12 unsuccessful in a primary, special, or
13 nonpartisan election or a candidate who is
14 elected to office in the primary, initial
15 special, or initial nonpartisan election.

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

20 (2) The filing date for the final primary report is twenty
21 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[-]; and

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 (b) A candidate and treasurer of the candidate committee
20 of each candidate with a deficit or surplus whose name will not
21 appear on the ballot in the immediately succeeding election



1 shall file a supplemental report every six months on January 31
2 and July 31 until:

3 (1) The candidate's name appears on the ballot and then is
4 subject to the reporting requirements in subsection
5 (a); or

6 (2) The committee's registration is terminated as provided
7 in section 11-326.

8 The report shall be current through December 31 for the
9 report filed on January 31 and current through June 30 for the
10 report filed on July 31.

11 (c) Prior to an election year, a candidate and treasurer
12 of the candidate committee of a candidate who registers pursuant
13 to section 11-321 shall file a supplemental report as required
14 by subsection (b) until the election year. During the election
15 year, reports required by subsection (a) shall be filed.

16 [~~e~~] (d) A candidate and treasurer of the candidate
17 committee of each candidate shall continue to file all required
18 reports until the committee's registration is terminated as
19 provided in section 11-326."

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



1 "(a) The authorized person in the case of a party, or
2 treasurer in the case of a noncandidate committee that is not a
3 party, shall file preliminary, final, and supplemental reports
4 that disclose the following information:

5 (1) The noncandidate committee's name and address;

6 (2) The cash on hand at the beginning of the reporting
7 period and election period;

8 (3) The reporting period and election period aggregate
9 totals for each of the following categories:

10 (A) Contributions received;

11 (B) Contributions made;

12 [~~(B)~~] (C) Expenditures; and

13 [~~(C)~~] (D) Other receipts;

14 (4) The cash on hand at the end of the reporting period;
15 and

16 (5) The surplus or deficit at the end of the reporting
17 period.

18 (b) Schedules filed with the reports shall include the
19 following additional information:

20 (1) The amount and date of deposit of each contribution
21 received and the name, address, occupation, and
22 employer of each contributor making a contribution



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

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

10 [~~2~~] (3) All expenditures, including the name and address
11 of each payee and the amount, date, and purpose of
12 each expenditure~~[-]~~;

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

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



1 whether the expenditure supports or opposes the
2 candidate;

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

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

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

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

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

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

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

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

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



1 "~~[§11-341]~~ **Electioneering communications; statement of**
2 **information.** (a) Each person who makes [~~a disbursement~~] an
3 expenditure for electioneering communications in an aggregate
4 amount of more than \$2,000 during any calendar year shall file
5 with the commission a statement of information within twenty-
6 four hours of each disclosure date provided in this section.

7 (b) Each statement of information shall contain the
8 following:

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



1 (c) For purposes of this section:

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

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

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

20 "Electioneering communication" shall not include
21 communications:



- 1 (1) In a news story or editorial disseminated by any
2 broadcast station or publisher of periodicals or
3 newspapers, unless the facilities are owned or
4 controlled by a candidate, candidate committee, or
5 noncandidate committee;
- 6 (2) That constitute expenditures by [~~the disbursing~~
7 ~~organization,~~] a registered candidate committee or
8 noncandidate committee;
- 9 (3) In house bulletins; or
- 10 (4) That constitute a candidate debate or forum, or solely
11 promote a debate or forum and are made by or on behalf
12 of the person sponsoring the debate or forum.
- 13 (d) For purposes of this section, a person shall be
14 treated as having made [~~a disbursement~~] an expenditure if the
15 person has executed a contract to make the [~~disbursement.~~]
16 expenditure.
- 17 (e) The fine for not filing an electioneering
18 communications statement by the due date is \$100."

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

21 "[+]§11-342[+] **Fundraiser; notice of intent.** (a) No
22 fundraiser shall be held unless a notice of intent to hold the



1 fundraiser is filed with the commission setting forth the name
2 and address of the person in charge, the price per person, the
3 date, hour, and place of the fundraiser, and the method thereof.

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

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

12 (d) The fine for not filing a notice of intent to hold a
13 fundraiser prior to the fundraiser is \$100."

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

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

18 (1) The establishment or administration of, or the
19 solicitation of contributions to, any noncandidate
20 committee by any person other than the state or county
21 contractor for the purpose of influencing the



1 nomination for election, or the election of any person
2 to office[-]; or
3 (2) Contributions to a ballot issue noncandidate
4 committee."

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

7 "(b) A contribution by the candidate's immediate family
8 shall be exempt from section [~~11-355,7~~] 11-357, but shall be
9 limited in the aggregate to \$50,000 in any election period;
10 provided that the aggregate amount of loans and contributions
11 received from the candidate's immediate family does not exceed
12 \$50,000 during an election period."

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

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

17 (1) For any purpose directly related:

18 (A) In the case of the candidate, to the candidate's
19 own campaign; or

20 (B) In the case of a candidate committee or treasurer
21 of a candidate committee, to the campaign of the



1 candidate, question, or issue with which they are
2 directly associated;

3 (2) To purchase or lease consumer goods, vehicles,
4 equipment, and services that provide a mixed benefit
5 to the candidate. The candidate, however, shall
6 reimburse the candidate's candidate committee for the
7 candidate's personal use unless the personal use is de
8 minimis;

9 (3) To make donations to any community service,
10 educational, youth, recreational, charitable,
11 scientific, or literary organization; provided that in
12 any election period, the total amount of all donations
13 shall be no more than twice the maximum amount that
14 one person may contribute to that candidate pursuant
15 to section 11-357; provided further that no
16 contributions shall be made from the date the
17 candidate files nomination papers to the date of the
18 general election;

19 (4) To make donations to any public school or public
20 library; provided that in any election period, the
21 total amount of all contributions shall be no more
22 than twice the maximum amount that one person may



1 contribute to that candidate pursuant to section 11-
2 357; provided further that any donation under this
3 paragraph shall not be aggregated with or imputed
4 toward any limitation on donations pursuant to
5 paragraph (3);

6 (5) To purchase not more than two tickets with a maximum
7 price of _____ per ticket for each event held by
8 another candidate [~~or~~] committee[-] or noncandidate
9 committee, whether or not the event constitutes a
10 fundraiser as defined in section 11-342;

11 (6) To make contributions to the candidate's party so long
12 as the contributions are not earmarked for another
13 candidate; or

14 (7) To pay for ordinary and necessary expenses incurred in
15 connection with the candidate's duties as a holder of
16 an office."

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

19 "[~~H~~]S11-391[~~H~~] **Advertisements.** (a) Any advertisement
20 shall contain:



- 1 (1) The name and address of the candidate, candidate
2 committee, noncandidate committee, or other person
3 paying for or placing the advertisement; and
- 4 (2) A notice in a prominent location stating either that:
- 5 (A) The advertisement is published, broadcast,
6 televised, or circulated with the approval and
7 authority of the candidate; provided that an
8 advertisement paid for by a candidate, candidate
9 committee, or ballot issue committee does not
10 need to include the notice; or
- 11 (B) The advertisement is published, broadcast,
12 televised, or circulated without the approval and
13 authority of the candidate.
- 14 (b) The fine for violation of this section, if assessed by
15 the commission, shall not exceed \$25 for each advertisement that
16 lacks the information required by this section, and shall not
17 exceed an aggregate amount of \$5,000.
- 18 (c) The information required in subsection (a) shall be
19 stated at the beginning of an automated phone call."

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



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

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

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

13 "(b) The affidavit shall state that the candidate knows
14 the voluntary campaign expenditure limitations as set out in
15 this part and that the candidate is voluntarily agreeing to
16 limit the candidate's expenditures and those made on the
17 candidate's behalf by the amount set by law. The affidavit
18 shall be subscribed to by the candidate and notarized[-] and
19 filed no later than the time of filing nomination papers with
20 the chief election officer or county clerk."

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



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

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

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

20 "~~§11-426~~ **Candidate exceeds voluntary expenditure**
21 **limit.** A candidate who files the affidavit agreeing to limit



1 expenditures and who exceeds the expenditure limit for that
2 election shall:

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

6 (2) Pay the balance of the full filing fee[; ~~and~~

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

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

14 "(a) As a condition of receiving public funds for a
15 primary or general election, a candidate shall not be unopposed
16 in any election for which public funds are sought, shall have
17 filed an affidavit with the commission pursuant to section 11-
18 423 to voluntarily limit the candidate's campaign expenditures,
19 and shall be in receipt of the following sum of qualifying
20 contributions in amounts of \$100 or less during each matching
21 payment period from individual residents of Hawaii:



- 1 (1) For the office of governor – qualifying contributions
2 that in the aggregate exceed \$100,000;
- 3 (2) For the office of lieutenant governor – qualifying
4 contributions that in the aggregate exceed \$50,000;
- 5 (3) For the office of mayor for each respective county:
- 6 (A) County of Honolulu – qualifying contributions
7 that in the aggregate exceed \$50,000;
- 8 (B) County of Hawaii – qualifying contributions that
9 in the aggregate exceed \$15,000;
- 10 (C) County of Maui – qualifying contributions that in
11 the aggregate exceed \$10,000; and
- 12 (D) County of Kauai – qualifying contributions that
13 in the aggregate exceed \$5,000;
- 14 (4) For the office of prosecuting attorney for each
15 respective county:
- 16 (A) County of Honolulu – qualifying contributions
17 that in the aggregate exceed \$30,000;
- 18 (B) County of Hawaii – qualifying contributions that
19 in the aggregate exceed \$10,000; and
- 20 (C) County of Kauai – qualifying contributions that
21 in the aggregate exceed \$5,000;



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

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



1 " ~~[§11-433]~~ **Post-election report required.** (a) The
2 treasurer shall electronically submit an expenditure of public
3 funds report to the commission no later than twenty days after a
4 primary election and no later than thirty days after a general
5 election certifying that all public funds paid to the candidate
6 have been used as required by this part.

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

14 (b) The fine for not filing an expenditure of public funds
15 report by the due date is \$100."

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

18 "~~[§11-424] Tax deduction for qualifying contributions.~~

19 ~~(a) An individual resident of Hawaii may claim a state income~~
20 ~~tax deduction pursuant to section 235-7(g)(2), for contributions~~
21 ~~to a candidate who files an affidavit pursuant to section 11-423~~
22 ~~and does not exceed the expenditure limit. Canceled checks or~~



1 ~~copies of the same shall be considered adequate receipt forms to~~
2 ~~attach to the tax form to claim the credit.~~

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

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

14 SECTION 20. This Act does not affect rights and duties
15 that matured, penalties that were incurred, and proceedings that
16 were begun before its effective date.

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

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



Report Title:

Campaign Finance

Description:

Provides regulation of automated phone calls, changes report filing deadlines, provides a cap of \$ 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. (HB257 HD2)

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

