
A BILL FOR AN ACT

RELATING TO CAMPAIGN CONTRIBUTIONS.

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

1 SECTION 1. Section 11-355, Hawaii Revised Statutes, is
2 amended to read as follows:

3 " [+] §11-355 [{}] Contributions by state and county
4 contractors, subcontractors, and contract bidders prohibited.

5 (a) It shall be unlawful for any person who enters into any
6 contract with the State, any of the counties, or any department
7 or agency thereof, or any person who is subcontracted under that
8 contract, either for the rendition of personal services, the
9 buying of property, or furnishing of any material, supplies, or
10 equipment to the State, any of the counties, any department or
11 agency thereof, or for selling any land or building to the
12 State, any of the counties, or any department or agency thereof,
13 if payment for the performance of the contract or payment for
14 material, supplies, equipment, land, property, or building is to
15 be made in whole or in part from funds appropriated by the
16 legislative body, at any time between the execution of the
17 contract through the completion of the contract, to:



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

6 (2) Knowingly solicit any contribution from any person for
7 any purpose during any period.

8 (b) It shall be unlawful, from the time a solicitation for
9 bids is issued under sections 103D-302, 103D-304, 103D-305,
10 103D-306, or 103D-307 until a contract is entered into, for a
11 person who submits an offer in response to a solicitation to:

12 (1) Directly or indirectly make any contribution, or
13 promise expressly or impliedly to make any
14 contribution, to any candidate committee or
15 noncandidate committee, candidate, or person for any
16 political purpose or use; or

17 (2) Knowingly solicit any contribution from any person for
18 any purpose during any period.

19 [~~b~~] (c) Except as provided in subsection (a), this
20 section does not prohibit or make unlawful the establishment or
21 administration of, or the solicitation of contributions to, any
22 noncandidate committee by any person other than the state or



1 county contractor for the purpose of influencing the nomination
2 for election, or the election of any person to office.

3 ~~(e)~~ (d) For purposes of this section, "completion of the
4 contract" means that the parties to the government contract have
5 either terminated the contract prior to completion of
6 performance or fully performed the duties and obligations under
7 the contract, no disputes relating to the performance and
8 payment remain under the contract, and all disputed claims have
9 been adjudicated and are final."

10 SECTION 2. This Act does not affect rights and duties that
11 matured, penalties that were incurred, and proceedings that were
12 begun before its effective date.

13 SECTION 3. Statutory material to be repealed is bracketed
14 and stricken. New statutory material is underscored.

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

16

INTRODUCED BY:



JAN 21 2011



Report Title:

Campaign Contributions; Government Contracts

Description:

Prohibits a person submitting an offer for a government contract solicitation from making campaign contributions. Includes subcontractors to a government contract in the prohibition of campaign contributions.

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