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# A BILL FOR AN ACT

RELATING TO CAMPAIGN FINANCE.

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

1           SECTION 1. There is established a public funding program  
2 for elections to the state house of representatives, to begin  
3 with the 2016 election.

4           SECTION 2. Chapter 11, Hawaii Revised Statutes, is amended  
5 by adding a new subpart to part XIII to be appropriately  
6 designated and to read as follows:

7           "           .   **COMPREHENSIVE PUBLIC FUNDING FOR ELECTIONS TO THE**  
8   **HAWAII HOUSE OF REPRESENTATIVES**

9           **§11-A Definitions.** Except for terms that are specifically  
10 defined in this subpart, terms that are defined under section  
11 11-302 shall apply to this subpart. When used in this subpart,  
12 unless the context clearly requires otherwise:

13           "Candidate" means an individual who seeks nomination for  
14 election or seeks election to the state house of  
15 representatives.

16           "Candidate's committee" and "certified candidate's  
17 committee" means a candidate committee, as defined in section



1 11-302, that makes expenditures or accepts contributions on  
2 behalf of a candidate or certified candidate."

3 "Certification for public funding" means the decision by  
4 the commission that a candidate is certified to receive public  
5 funding in accordance with this subpart.

6 "Certified candidate" or "publicly-funded candidate" means  
7 a candidate who is certified by the commission as eligible for  
8 public funding under this subpart and who agrees to abide by the  
9 requirements of this subpart.

10 "Contested election" means, in a primary election, a  
11 certified candidate is opposed by one or more candidates for  
12 nomination and, in a general election, the certified candidate  
13 is opposed by one or more candidates for election to office.

14 "Declaration of intent to seek public funding" means the  
15 form completed by a candidate seeking public funding under this  
16 subpart, the filing of which triggers the candidate's ability to  
17 begin raising and spending seed money contributions and  
18 collecting qualifying names and contributions.

19 "District" means the respective representative district  
20 from which the candidate seeks election.



1 "General election year" means the period commencing  
2 January 1 of an even-numbered year in which a general election  
3 is held and ending on the general election day.

4 "Public funding" or "public funds" means campaign funds  
5 from the Hawaii election campaign fund under section 11-421,  
6 received by a certified candidate pursuant to this subpart.

7 "Qualifying contribution" means a monetary contribution  
8 made to a candidate who has filed a declaration of intent to  
9 seek public funding or the candidate's committee for the  
10 purposes of meeting the application criteria of section 11-E and  
11 that is made in cash or in the form of a check or a money order  
12 payable to the Hawaii election campaign fund and accompanied by  
13 the contributor's printed name, residence address, and signature  
14 affirming and acknowledging that the contribution was made from  
15 the contributor's personal funds, that nothing of value was  
16 received in exchange for the qualifying name and contribution,  
17 and that violation of the public funding law may result in an  
18 administrative fine or criminal prosecution.

19 "Qualifying period" means the period beginning on July 1 in  
20 the year prior to the general election year and ending on  
21 December 31 in the year prior to the general election year or  
22 ending upon the candidate's filing of the application for



1 certification for public funding, whichever is earlier, during  
2 which a candidate or a candidate's committee may collect  
3 qualifying names and qualifying contributions in order to  
4 qualify for public funding under this subpart; provided the  
5 commission has determined pursuant to section 11-Q that the  
6 Hawaii election campaign fund has sufficient funds to make  
7 payments to publicly funded candidates during the election  
8 period.

9 "Seed money" means contributions made to a candidate or a  
10 candidate's committee by an individual in accordance with  
11 section 11-D and expended for the purpose of determining  
12 campaign viability.

13 "Surplus campaign funds" means any campaign contributions  
14 not spent during a prior election period by a candidate or a  
15 candidate's committee who previously sought election as a  
16 privately-funded candidate.

17 **§11-B Applicability.** This subpart shall apply to  
18 elections for the office of state representative.

19 **§11-C Qualifications for public funding for state**  
20 **representative candidates.** (a) A candidate may seek public  
21 funding under this subpart if the candidate or the candidate's  
22 committee, as applicable:



- 1 (1) Resides in the district from which election is sought  
2 as of the date of the filing of nomination papers for  
3 the primary election in the general election year in  
4 which the candidate seeks to be nominated or elected;
- 5 (2) Is a registered voter in the district from which  
6 election is sought;
- 7 (3) Files a declaration of intent to seek public funding  
8 with the commission between July 1 of the year prior  
9 to the election year and December 31 in the year prior  
10 to the general election year;
- 11 (4) Collects qualifying names and contributions in  
12 accordance with section 11-E;
- 13 (5) Accepts only the following contributions upon filing a  
14 declaration of intent to seek public funding:  
15 (A) Seed money contributions; and  
16 (B) Qualifying contributions; and
- 17 (6) Files an application for certification for public  
18 funding with the commission by December 31 of the year  
19 prior to the general election year.
- 20 (b) Candidates and candidate's committees shall comply  
21 with all registration, reporting, contribution, expenditure, and  
22 disclosure requirements under this part.



1           **§11-D Seed money contributions; limitations on use of seed**

2 **money; penalties.** (a) The use of seed money shall be limited  
3 to expenditures necessary to determine whether sufficient  
4 support exists for a candidate to run for office as a publicly-  
5 funded candidate.

6           (b) The amount of seed money received, expended, or both,  
7 by a candidate seeking eligibility for public funding under this  
8 subpart or the candidate's committee shall not exceed \$3,000,  
9 which shall include any personal funds, surplus campaign funds,  
10 or contributions received from individuals that the candidate or  
11 the candidate's committee may choose to use.

12           (c) A candidate seeking eligibility for public funding or  
13 the candidate's committee shall not accept contributions of seed  
14 money from any individual whose contributions are prohibited  
15 under subpart E. All contributors whose seed money has been  
16 accepted shall be issued a receipt by the candidate or the  
17 candidate's committee.

18           (d) Seed money shall not be collected or expended after  
19 the candidate has been certified as a publicly-funded candidate  
20 by the commission pursuant to 11-F.

21           (e) Any seed money contributions accepted in excess of  
22 \$3,000 shall be deducted from the amount of public funding



1 provided to the certified candidate if the certified candidate  
2 does not donate the unspent seed money to the Hawaii election  
3 campaign fund.

4 (f) A certified candidate who has surplus campaign funds  
5 from a previous election and the certified candidate's committee  
6 are prohibited from using those funds for anything other than  
7 seed money pursuant to this section; provided that the seed  
8 money and surplus campaign funds for the purposes of this  
9 section shall not exceed \$3,000 in the aggregate, and for in-  
10 office constituent communications pursuant to section 11-K. The  
11 surplus campaign funds shall be frozen and maintained in a  
12 separate depository account from that established for the public  
13 funds under section 11-M. The candidate and the candidate's  
14 committee shall continue to file reports on the surplus campaign  
15 funds in accordance with subpart E and as otherwise may be  
16 required by the commission.

17 **§11-E Application for public funds; qualifying names;**  
18 **qualifying contributions.** (a) Candidates seeking certification  
19 for public funding under this subpart shall submit an  
20 application for certification that contains:

21 (1) At least two hundred qualifying names accompanied by a  
22 qualifying contribution of \$5 in the same name; and



1           (2) Each contributor's printed name, residence address,  
2           and signature affirming and acknowledging that the  
3           contribution was made from the contributor's personal  
4           funds, that nothing of value was received in exchange  
5           for the qualifying name and contribution, and that  
6           violation of the public funding law may result in an  
7           administrative fine or criminal prosecution.

8           (b) To be counted as a qualifying name and accompanying  
9           contribution, the name and contribution shall be from an  
10          individual who is a registered voter and who resides within the  
11          respective representative district from which the candidate  
12          seeks nomination or election at the time the name and  
13          contribution are provided. Nothing of value shall be given to  
14          the individual in exchange for the qualifying name and  
15          accompanying contribution.

16          (c) No qualifying name and accompanying contribution shall  
17          be collected prior to a candidate filing a declaration of intent  
18          to seek public funding with the commission.

19          (d) No qualifying name and accompanying contribution shall  
20          be collected by:

21           (1) An individual paid by a candidate or candidate  
22           committee to solicit qualifying names; or





1 (2) An individual employed by a political party defined in  
2 section 11-61 who is paid to solicit qualifying names.

3 (e) Candidates shall provide receipts for qualifying  
4 contributions in a form prescribed by the commission pursuant to  
5 section 11-P.

6 (f) All qualifying contributions collected by a candidate  
7 or a candidate's committee, whether or not the candidate is  
8 certified, shall be deposited into the Hawaii election campaign  
9 fund. Any monies received above the required minimum qualifying  
10 amount shall be retained by the commission for the purposes of  
11 the Hawaii election campaign fund.

12 (g) The candidate's application for certification for  
13 public funding shall be submitted to the commission by December  
14 31 of the year prior to the general election year and shall be  
15 signed by the candidate and the candidate's campaign treasurer  
16 under penalty of perjury. The application shall contain any  
17 other information deemed necessary and appropriate by the  
18 commission.

19 **§11-F Certification of qualification for public funds.**

20 (a) The commission, in coordination with the clerk for the  
21 county that includes the district from which election is sought,  
22 shall verify that the minimum required qualifying names and



1 qualifying contributions were received from registered voters in  
2 the district from which the candidate seeks office, that the  
3 candidate resides in the district from which election is sought  
4 as of the date of the filing of nomination papers, and that the  
5 candidate is a registered voter in the district from which  
6 election is sought. The clerk for the county that includes the  
7 district from which election is sought shall provide to the  
8 commission the information needed to make the verification,  
9 including the names, addresses, and signatures of registered  
10 voters in that district.

11 (b) The commission shall issue a decision to certify or  
12 deny certification of a candidate as a publicly-funded candidate  
13 within ten business days following receipt of the candidate's  
14 completed application for certification for the receipt of  
15 public funds.

16 (c) Initial certification and all determinations by the  
17 commission under this section are final and conclusive, except  
18 to the extent that they are subject to examination and audit by  
19 the commission under section 11-434.

20 **§11-G Public funds to be distributed to certified**  
21 **candidate.** (a) Each certified candidate pursuant to this  
22 subpart shall receive the amount calculated pursuant to



1 paragraph (1) divided by the number calculated pursuant to  
2 paragraph (2):

3 (1) The total amount of expenditures of winners statewide  
4 for the office of state representative in the previous  
5 election period, less the sum of the expenditures of  
6 the three winners statewide for the office of state  
7 representative with the highest amounts of  
8 expenditures and the expenditures of the three winners  
9 statewide for the office of state representative with  
10 the lowest amounts of expenditures in the respective  
11 election in the previous election period; and

12 (2) The total number of persons who won statewide for the  
13 office of state representative in the respective  
14 election in the previous election period, less six  
15 persons.

16 (b) Upon the commission's approval of the application for  
17 certification for public funding, the commission shall direct  
18 the comptroller to distribute the public funds allowed by this  
19 section from the Hawaii election campaign fund by check or, when  
20 possible, by an automatic transfer of funds. Public funds shall  
21 be distributed to the candidate within twenty days of the date  
22 that the candidate's initial application and qualifying



1 contribution statement is approved by the commission; provided  
2 the candidate has submitted proof of filing nomination papers.

3 (c) The commission shall be under no obligation to provide  
4 public moneys to a candidate under this subpart if moneys in the  
5 Hawaii election campaign fund are near depletion as determined  
6 by the commission.

7 **§11-H Contributions and expenditures; penalties.** (a) A  
8 certified candidate and the certified candidate's committee  
9 shall comply with the following restrictions on contributions  
10 and expenditures:

11 (1) Upon certification for public funding and until the  
12 general election, a certified candidate and the  
13 certified candidate's committee shall not accept for  
14 use in the campaign:

15 (A) Contributions from any person, except as  
16 permitted by sections 11-I and 11-K(c);

17 (B) Loans from any person, including a certified  
18 candidate;

19 (C) Contributions from political parties; and

20 (D) Any campaign material purchased or held from a  
21 date prior to filing the declaration of intent to  
22 seek public funds; and



1           (2) Upon certification for public funding and until the  
2           general election, a certified candidate and the  
3           candidate's committee shall not expend for campaign  
4           purposes:

5           (A) Any money, except public funds issued by the  
6           commission, and as permitted by sections 11-I and  
7           11-K(c);

8           (B) Public funds for purposes other than those  
9           permitted in this subpart; and

10          (C) Public funds outside the applicable campaign  
11          period.

12          (b) A certified candidate and the certified candidate's  
13          committee who accepts contributions in violation of this section  
14          shall be subject to a fine equal to three times the public  
15          funding received, in addition to any other action, fines, or  
16          prosecution under section 11-0, subpart I, or any provision of  
17          the Hawaii penal code.

18          (c) Except as permitted in sections 11-I and 11-K, a  
19          certified candidate and the certified candidate's committee who  
20          makes expenditures of more than one hundred per cent of the  
21          public funds allocated to the candidate shall pay to the Hawaii  
22          election campaign fund an amount equal to three times the excess



1 expenditures, in addition to any other action, fines, or  
2 prosecution under section 11-0, subpart I, or any provision of  
3 the Hawaii penal code.

4       **§11-I Supplemental contributions.** Upon certification for  
5 public funding and until the general election, a certified  
6 candidate and certified candidate's committee may accept  
7 supplemental contributions; provided that the contributions  
8 shall not exceed \$50 per person from individuals who reside in  
9 the State and are not from any individual whose contributions  
10 are prohibited under subpart E. For each contribution accepted  
11 pursuant to this section, the certified candidate or the  
12 certified candidate's committee shall issue a receipt to the  
13 contributor.

14       **§11-J Publicly-funded candidate; reporting.** (a) A  
15 certified candidate and the certified candidate's committee  
16 shall furnish to the commission complete campaign records,  
17 including all records of seed money contributions, qualifying  
18 contributions, surplus campaign fund contributions, supplemental  
19 contributions, and expenditures. A certified candidate and the  
20 certified candidate's committee shall fully cooperate with any  
21 audit or examination by the commission.



1 (b) The reporting requirements for certified candidates  
2 and certified candidates' committees under this subpart or that  
3 may be required by the commission shall be in addition to any  
4 other reporting requirements under this part.

5 (c) An individual who uses seed money to determine whether  
6 sufficient support exists to run for office as a publicly-funded  
7 candidate who is not already registered with the commission  
8 shall register as a candidate by filing the organizational  
9 report required by section 11-321, within ten days of receiving  
10 more than \$100 in seed money.

11 (d) All reports required by subpart D, seed money reports,  
12 and post-election reports shall be filed with the commission.

13 (e) Seed money reports shall be filed with the commission  
14 no later than:

15 (1) January 31 of an election year; and

16 (2) April 30 of an election year.

17 (f) Each report shall be current through:

18 (1) The six-month period ending on December 31 for the  
19 report filed on January 31; and

20 (2) The three-month period ending on March 31 for the  
21 report filed on April 30.

22 (g) The seed money reports shall include:



- 1 (1) The candidate's committee's name and address;
- 2 (2) The amount of cash on hand at the beginning of the  
3 reporting period;
- 4 (3) The reporting period and aggregate total for each of  
5 the following categories:
- 6 (A) Contributions;
- 7 (B) Expenditures; and
- 8 (C) Other receipts; and
- 9 (4) The cash on hand at the end of the reporting period.
- 10 (h) Schedules filed with the seed money reports shall also  
11 include:
- 12 (1) The amount and date of deposit of each contribution  
13 and the name and address of each contributor who makes  
14 contributions aggregating more than \$100 in an  
15 election period; provided that if all the information  
16 is not on file, the contribution shall be returned to  
17 the contributor within thirty days of deposit;
- 18 (2) All expenditures made, including the name and address  
19 of each payee and the amount, date, and purpose of  
20 each expenditure. Expenditures for consultants,  
21 advertising agencies and similar firms, credit card  
22 payments, salaries, and candidate reimbursements shall





1 be itemized to permit a reasonable person to determine  
2 the ultimate intended recipient of the expenditure and  
3 its purpose; and

4 (3) The amount, date of deposit, and description of other  
5 receipts and the name and address of the source of  
6 each of the other receipts.

7 (i) Post-election reports shall be submitted to the  
8 commission no later than twenty days after a primary election  
9 and no later than thirty days after a general election  
10 certifying that all public funds paid to the certified candidate  
11 and certified candidate's committee have been used as required  
12 by this subpart. The reports shall include information  
13 regarding all expenditures made, including the name and address  
14 of each payee and the amount, date, and purpose of each  
15 expenditure. Expenditures for consultants, advertising agencies  
16 and similar firms, credit card payments, salaries, and candidate  
17 reimbursements shall be itemized to permit a reasonable person  
18 to determine the ultimate intended recipient of the expenditure  
19 and its purpose.

20 (j) All certified candidates and certified candidate's  
21 committees shall file the reports required under this subpart by  
22 electronic means in the manner prescribed by the commission.



1           **§11-K Publicly-funded candidate; continuing obligation.**

2       (a) A certified candidate and certified candidate's committee  
3 shall comply with all requirements under this subpart through  
4 the general election, except as provided in subsection (d),  
5 regardless of whether the certified candidate maintains  
6 eligibility for public funding through the general election.

7           (b) A certified candidate who is elected to the office  
8 sought, and the certified candidate's committee, may carry over  
9 and expend any surplus campaign funds up to \$4,000 to pay for  
10 in-office constituent communications.

11          (c) If the total surplus for a certified candidate who is  
12 elected to office falls under \$4,000, subsection (d)  
13 notwithstanding, the certified candidate and the certified  
14 candidate's committee shall be allowed to raise the difference  
15 with private contributions pursuant to subpart E, provided that  
16 the contributions are received from an individual.

17          (d) Except for seed money contributions, qualifying  
18 contributions, supplemental contributions pursuant to section  
19 11-I, and surplus campaign fund contributions pursuant to this  
20 section, a certified candidate who is elected to the office  
21 sought and the certified candidate's committee shall not accept  
22 private contributions from any person until either July 1 of the



1 next odd-numbered year following the general election in which  
2 the candidate was last elected, or the date when the commission  
3 determines there are insufficient funds under section 11-Q,  
4 whichever occurs earlier.

5 (e) If a certified candidate withdraws from seeking the  
6 nomination for or from the election, all unexpended public funds  
7 received by the candidate and the certified candidate's  
8 committee under this subpart shall be returned to the Hawaii  
9 election campaign fund within thirty days after withdrawal.

10 (f) A certified candidate who is successful in the primary  
11 election may carry over any unexpended public funds to the  
12 general election; provided that the certified candidate has an  
13 opponent in the general election. If the certified candidate  
14 does not have an opponent in the general election, the certified  
15 candidate and the certified candidate's committee shall return  
16 all unexpended public funds received under this subpart to the  
17 Hawaii election campaign fund within thirty days after the  
18 primary election.

19 (g) A certified candidate who is not successful in the  
20 primary or general election shall return all unexpended public  
21 funds received by the certified candidate and the certified  
22 candidate's committee under this subpart to the Hawaii election



1 campaign fund within thirty days after the election in which the  
2 candidate was not successful.

3       **§11-L Public funding; permitted uses.** (a) Public funds  
4 shall be used only for the purpose of defraying expenses  
5 directly related to the certified candidate's campaign during  
6 the election campaign period for which the public funds are  
7 allocated.

8       (b) A candidate receiving funds under this subpart or the  
9 candidate's campaign treasurer shall not transfer any portion of  
10 the funds provided under this subpart to any other candidate for  
11 another campaign.

12       **§11-M Deposit of, and access to, public funds.** (a) All  
13 public funds, seed money contributions, supplemental  
14 contributions pursuant to section 11-I, and surplus campaign  
15 fund contributions pursuant to section 11-K received by a  
16 certified candidate and the certified candidate's committee  
17 shall be deposited directly into a depository institution as  
18 provided under section 11-351(a) and accessed through the use of  
19 debit cards and bank checks. No expenditure of public funds  
20 received under this subpart shall be made except by debit cards  
21 or checks drawn on such checking account.



1 (b) All reports required under subpart D and this subpart  
2 for financial disclosure shall include the most recent,  
3 available bank statement from the financial depository holding  
4 the public funds, as attested to by the candidate's committee.

5 **§11-N Deposit of money into the Hawaii election campaign**  
6 **fund.** The following moneys shall be deposited into the Hawaii  
7 election campaign fund established under section 11-421:

- 8 (1) Appropriations made by the legislature for the  
9 purposes of this subpart;
- 10 (2) Seed money contributions in excess of \$3,000;
- 11 (3) Qualifying contributions, including any excess  
12 qualifying contributions;
- 13 (4) Unspent public funds distributed to any certified  
14 candidate under this subpart, minus any surplus  
15 campaign funds up to \$4,000 pursuant to section 11-K  
16 for certified candidates who are elected to office;
- 17 (5) Fines levied by the commission for violation of this  
18 subpart; and
- 19 (6) Voluntary donations made for the purposes of this  
20 subpart.



1           **§11-O Violations; penalties.** Any candidate or candidate's  
2 committee who misrepresents material facts to the commission in  
3 order to qualify for or receive public funding shall:

4           (1) Have the candidate's certification for public funding  
5 revoked. Upon revocation of certification, the  
6 certified candidate and the certified candidate's  
7 committee shall repay all public funds received within  
8 ten business days to the Hawaii election campaign  
9 fund; and

10          (2) Be subject to fines and penalties as specifically  
11 provided in this subpart and other fines or penalties  
12 pursuant to sections 11-410 and 11-412 and the Hawaii  
13 penal code.

14           **§11-P Forms; receipts; candidate guide.** The campaign  
15 spending commission shall create and publish all forms and  
16 receipts required as well as a candidates' guide to the public  
17 funding program that shall include an explanation of rules and  
18 procedures applicable to candidates.

19           **§11-Q Sufficiency of funding for public funding.** On July  
20 1 of each odd-numbered year before a general election year, the  
21 commission shall determine whether there is a minimum of  
22 \$3,500,000 in the Hawaii election campaign fund established



1 under section 11-421 to certify candidates during the next  
2 election and provide funding for the comprehensive public  
3 funding for elections authorized under this subpart.

4 If the commission determines that there is sufficient  
5 funding, then within five business days, the commission shall  
6 publish notice statewide, pursuant to section 1-28.5, that the  
7 comprehensive public funding program shall become effective on  
8 January 1 of the following year. If there is insufficient  
9 funding, this subpart shall be inoperative."

10 SECTION 3. Section 11-421, Hawaii Revised Statutes, is  
11 amended by amending subsections (b) and (c) to read as follows:

12 "(b) The fund shall consist of:

13 (1) All moneys collected from persons who have designated  
14 a portion of their income tax liability to the fund as  
15 provided in section 235-102.5(a);

16 (2) Any general fund appropriations; ~~and~~

17 (3) All moneys designated for deposit into the fund  
18 pursuant to section 11-N; and

19 ~~[(3)]~~ (4) Other moneys collected pursuant to this part.

20 (c) Moneys in the fund shall be paid to candidates by the  
21 comptroller as prescribed in ~~[section]~~ sections 11-431 and 11-



1 G(b) and may be used for the commission's operating expenses,  
2 including staff salaries and fringe benefits."

3 SECTION 4. Section 11-423, Hawaii Revised Statutes, is  
4 amended by amending subsection (d) to read as follows:

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

14 [~~(1)~~] ~~For the office of governor — \$2.50;~~

15 [~~(2)~~] ~~For the office of lieutenant governor — \$1.40;~~

16 [~~(3)~~] (1) For the office of mayor — \$2.00;

17 [~~(4)~~] (2) For the [~~offices of state senator, state~~  
18 ~~representative, and~~] office of county council member —  
19 \$1.40; and

20 [~~(5)~~] (3) For all other offices — 20 cents."

21 SECTION 5. Section 11-425, Hawaii Revised Statutes, is  
22 amended by amending subsections (a) and (b) to read as follows:





1           "(a) The maximum amount of public funds available in each  
2 election to a candidate for the office of [~~governor, lieutenant~~  
3 ~~governor, or~~] mayor shall not exceed ten per cent of the  
4 expenditure limit established in section 11-423(d) for each  
5 election.

6           (b) The maximum amount of public funds available in each  
7 election to a candidate for the office of [~~state senator, state~~  
8 ~~representative,~~] county council member[~~, and~~] or prosecuting  
9 attorney shall not exceed fifteen per cent of the expenditure  
10 limit established in section 11-423(d) for each election."

11           SECTION 6. Section 11-429, Hawaii Revised Statutes, is  
12 amended by amending subsection (a) to read as follows:

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

20           [~~(1) For the office of governor — qualifying contributions~~  
21           ~~that in the aggregate exceed \$100,000;~~



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



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

21           SECTION 7. Section 11-431, Hawaii Revised Statutes, is  
22       amended by amending subsection (a) to read as follows:



1           "(a) Upon the commission's approval of the application and  
2 statement of qualifying contributions, the commission shall  
3 direct the comptroller to distribute matching public funds up to  
4 the maximum amount of public funds allowed by section 11-425[-]  
5 by check or, when possible, by an automatic transfer of funds.  
6 Public funds shall be distributed to the candidate within twenty  
7 days from the date that the candidate's initial application and  
8 qualifying contribution statement is approved by the  
9 commission."

10           SECTION 8. The campaign spending commission shall submit a  
11 report of its findings and recommendations, including any  
12 proposed legislation, to the legislature not later than twenty  
13 days prior to the convening of the regular sessions of 2015 and  
14 2016 on further statutory amendments to facilitate the  
15 implementation of this Act.

16           SECTION 9. Monies in the Hawaii election campaign fund  
17 under section 11-421, Hawaii Revised Statutes, may be expended  
18 by the campaign spending commission in preparation for the  
19 implementation of the public funding of candidates in elections  
20 taking place in 2016, consistent with the purposes of this Act.

21           SECTION 10. In codifying the new sections added by section  
22 1 of this Act, the revisor of statutes shall substitute



1 appropriate section numbers for the letters used in designating  
2 the new sections in this Act.

3 SECTION 11. Statutory material to be repealed is bracketed  
4 and stricken. New statutory material is underscored.

5 SECTION 12. This Act shall take effect on July 1, 2015;  
6 provided that sections 8 and 9 of this Act shall take effect on  
7 July 1, 2014.



**Report Title:**

Campaign Spending Commission; Public Funding for Election  
Candidates; Appropriation

**Description:**

Creates public funding program of candidates for the offices of state representative. Repeals provisions under the existing partial public financing program specifically applicable to candidates for the offices of governor, lieutenant governor, state senator, and state representative. Appropriates funds to the campaign spending commission to prepare for the public financing of elections in 2016, including staff support. Requires campaign spending commission to submit a report. Effective July 1, 2015. (PROPOSED HB2533 HD1)

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

