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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. The purpose of this measure is to establish a  
2 public funding program for elections to the state house of  
3 representatives, to begin 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 is a candidate as  
14 defined in section 11-302 who seeks nomination for election or  
15 seeks election to the state house of representatives.

16 "Certification for public funding" means the decision by  
17 the commission that a candidate is certified to receive public  
18 funding in accordance with this subpart.



1 "Certified candidate" or "publicly-funded candidate" means  
2 a candidate who is certified by the commission as eligible for  
3 public funding under this subpart and who agrees to abide by the  
4 requirements of this subpart.

5 "Contested election" means, in a primary election, a  
6 certified candidate is opposed by one or more candidates for  
7 nomination and, in a general election, the certified candidate  
8 is opposed by one or more candidates for election to office.

9 "Declaration of intent to seek public funding" means the  
10 form completed by a candidate seeking public funding under this  
11 subpart, the filing of which triggers the candidate's ability to  
12 begin raising and spending seed money contributions and  
13 collecting qualifying names and contributions.

14 "District" means the respective representative district  
15 from which the candidate seeks election.

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

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



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

13 "Qualifying period" means the period beginning on July 1 in  
14 the year prior to the general election year and ending on  
15 December 31 in the year prior to the general election year or  
16 ending upon the candidate's filing of the application for  
17 certification for public funding, whichever shall come first,  
18 during which a candidate or a candidate's committee may collect  
19 qualifying names and qualifying contributions to qualify for  
20 public funding under this subpart; provided that the commission  
21 has determined pursuant to section 11-R that the Hawaii election



1 campaign fund has sufficient funds to make payments to publicly  
2 funded candidates during the election period.

3 "Seed money" means contributions made to a candidate or a  
4 candidate's committee by an individual in accordance with  
5 section 11-E and expended for the purpose of determining  
6 campaign viability.

7 "Surplus campaign funds" means any campaign contributions  
8 not spent during a prior election period by a candidate or a  
9 candidate's committee who previously sought election as a  
10 privately-funded candidate.

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

13 **§11-C Qualifications for public funding for state**  
14 **representative candidates.** (a) A candidate may seek public  
15 funding under this subpart if the candidate or the candidate's  
16 committee, as applicable:

17 (1) Resides in the district from which election is sought  
18 as of the date of the filing of nomination papers for  
19 the primary election in the general election year in  
20 which the candidate seeks to be nominated or elected;

21 (2) Is a registered voter in the district from which  
22 election is sought;



- 1 (3) Files a declaration of intent to seek public funding  
2 with the commission between July 1 of the year prior  
3 to the election year and December 31 in the year prior  
4 to the general election year;
- 5 (4) Collects qualifying names and contributions in  
6 accordance with section 11-F;
- 7 (5) Accepts only the following contributions upon filing a  
8 declaration of intent to seek public funding:  
9 (A) Seed money contributions; and  
10 (B) Qualifying contributions; and
- 11 (6) Files an application for certification for public  
12 funding with the commission by December 31 of the year  
13 prior to the general election year.

14 **§11-D Campaign finance requirements.** Candidates and  
15 candidate's committees shall comply with all registration,  
16 reporting, contribution, expenditure, and disclosure  
17 requirements under this chapter, in addition to any requirements  
18 established under this subpart.

19 **§11-E Seed money contributions; limitations on use of seed**  
20 **money; penalties.** (a) The use of seed money shall be limited  
21 to expenditures necessary to determine whether sufficient



1 support exists for a candidate to run for office as a publicly-  
2 funded candidate.

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

9 (c) A candidate seeking eligibility for public funding or  
10 a candidate's committee shall not accept contributions of seed  
11 money from any individual whose contributions are prohibited  
12 under subpart E. All contributors whose seed money has been  
13 accepted shall be issued a receipt by the candidate or the  
14 candidate's committee in a form prescribed by the commission  
15 pursuant to 11-Q.

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

19 (e) Any seed money contributions accepted in excess of  
20 \$3,000 shall be deducted from the amount of public funding  
21 provided to the certified candidate if the certified candidate



1 does not donate the unspent seed money to the Hawaii election  
2 campaign fund.

3 (f) A certified candidate who has surplus campaign funds  
4 from a previous election and the certified candidate's committee  
5 are prohibited from using those funds for anything other than  
6 in-office constituent communications pursuant to section 11-L  
7 and 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. Any remaining  
10 surplus campaign funds shall be frozen and maintained in a  
11 separate depository account from that established for the public  
12 funds under section 11-N. The candidate and the candidate's  
13 committee shall continue to file reports on the surplus campaign  
14 funds in accordance with subpart D and as otherwise may be  
15 required by the commission.

16 **§11-F Application for public funds; qualifying names;**  
17 **qualifying contributions.** (a) Candidates seeking certification  
18 for public funding under this subpart shall submit an  
19 application for certification that contains:

20 (1) At least two hundred qualifying names accompanied by a  
21 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 contribution is  
13          given. Nothing of value shall be given to the individual in  
14          exchange for the qualifying name and accompanying contribution.

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

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

20               (1) An individual paid by a candidate or candidate  
21               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-Q.

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 moneys 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-G 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 any 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-H Public funds to be distributed to certified**

21 **candidate.** (a) Each certified candidate pursuant to this  
22 subpart for the office of state representative shall receive the



1 amount calculated pursuant to paragraph (1) divided by the  
2 number calculated pursuant to 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 in the amount  
19 allowed pursuant to this section from the Hawaii election  
20 campaign fund by check or, when possible, by an automatic  
21 transfer of funds. Public funds shall be distributed to the  
22 candidate within twenty days of the date that the candidate's



1 initial application is approved by the commission; provided the  
2 candidate has submitted proof of filing nomination papers to the  
3 commission.

4 (c) The commission shall be under no obligation to provide  
5 public moneys to a candidate under this subpart if moneys in the  
6 Hawaii election campaign fund are near depletion as determined  
7 by the commission pursuant to section 11-R.

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

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

16 (A) Contributions from any person, except as  
17 permitted by sections 11-J and 11-L(c);

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

20 (C) Contributions from political parties; and



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

4 (2) Upon certification for public funding and until the  
5 end of the general election, a certified candidate and  
6 the candidate's committee shall not expend for  
7 campaign purposes:

8 (A) Any money except public funds issued by the  
9 commission, and as permitted by sections 11-J and  
10 11-L(c);

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

13 (C) Public funds outside the applicable campaign  
14 period.

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

21 (c) Except as permitted in sections 11-J and 11-L, a  
22 certified candidate and the certified candidate's committee who



1 makes expenditures of more than one hundred per cent of the  
2 public funds allocated to the candidate shall pay to the Hawaii  
3 election campaign fund an amount equal to three times the excess  
4 expenditures, in addition to any other action, fines, or  
5 prosecution under section 11-P, subpart I, or any provision of  
6 the Hawaii penal code.

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

17       **§11-K Publicly-funded candidate; reporting.** (a) A  
18 certified candidate and the certified candidate's committee  
19 shall furnish to the commission complete campaign records,  
20 including all records of seed money contributions, qualifying  
21 contributions, surplus campaign fund contributions, supplemental  
22 contributions, and expenditures. A certified candidate and the



1 certified candidate's committee shall fully cooperate with any  
2 audit or examination by the commission.

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

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

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

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

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

18 (2) April 30 of an election year.

19 (f) Each report shall be current through:

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



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

3 (g) The seed money reports shall include:

4 (1) The candidate's committee's name and address;

5 (2) The amount of cash on hand at the beginning of the  
6 reporting period;

7 (3) The reporting period and aggregate total for each of  
8 the following categories:

9 (A) Contributions;

10 (B) Expenditures; and

11 (C) Other receipts; and

12 (4) The cash on hand at the end of the reporting period.

13 (h) Schedules filed with the seed money reports shall also  
14 include:

15 (1) The amount and date of deposit of each contribution  
16 and the name and address of each contributor who makes  
17 contributions aggregating more than \$100 in an  
18 election period; provided that if all the information  
19 is not on file, the contribution shall be returned to  
20 the contributor within thirty days of deposit;

21 (2) All expenditures made, including the name and address  
22 of each payee and the amount, date, and purpose of





1 each expenditure. Expenditures for consultants,  
2 advertising agencies and similar firms, credit card  
3 payments, salaries, and candidate reimbursements shall  
4 be itemized to permit a reasonable person to determine  
5 the ultimate intended recipient of the expenditure and  
6 its purpose; and

7 (3) The amount, date of deposit, and description of other  
8 receipts and the name and address of the source of  
9 each of the other receipts.

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



1 (j) All certified candidates and certified candidates'  
2 committees shall file the reports required under this subpart by  
3 electronic means in the manner prescribed by the commission.

4 **§11-L Publicly-funded candidate; continuing obligation.**

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

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

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

20 (d) Except for seed money contributions, qualifying  
21 contributions, supplemental contributions pursuant to section  
22 11-J, and surplus campaign fund contributions pursuant to this



1 section, a certified candidate who is elected to the office  
2 sought and the certified candidate's committee shall not accept  
3 private contributions from any person until either July 1 of the  
4 next odd-numbered year following the general election in which  
5 the candidate was last elected, or the date when the commission  
6 determines there are insufficient funds under section 11-R,  
7 whichever occurs earlier.

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

13 (f) A certified candidate who is successful in the primary  
14 election may carry over any unexpended public funds to the  
15 general election; provided that it is a contested election. If  
16 it is not a contested election, the certified candidate and the  
17 certified candidate's committee shall return all unexpended  
18 public funds received by the certified candidate under this  
19 subpart to the Hawaii election campaign fund within thirty days  
20 after the primary election.

21 (g) A certified candidate who is not successful in the  
22 primary or general election shall return all unexpended public



1 funds received by the certified candidate and the certified  
2 candidate's committee under this subpart to the Hawaii election  
3 campaign fund within thirty days after the election in which the  
4 candidate was not successful.

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

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

14 **§11-N Deposit of, and access to, public funds.** (a) All  
15 public funds, seed money contributions, supplemental  
16 contributions pursuant to section 11-J, and surplus campaign  
17 fund contributions pursuant to section 11-L received by a  
18 certified candidate and the certified candidate's committee  
19 shall be deposited directly into a depository institution as  
20 provided under section 11-351(a) and accessed through the use of  
21 debit cards and bank checks. No expenditure of public funds



1 received under this subpart shall be made except by debit cards  
2 or checks drawn on such checking account.

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

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

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



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



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

4 Within five business days after the commission determines  
5 whether there is sufficient funding, then, the commission shall  
6 publish notice statewide, pursuant to section 1-28.5, whether  
7 the comprehensive public funding program shall become effective  
8 on 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 11-0; 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 H(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,~~] county council member[~~7~~] and  
19 prosecuting attorney — \$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. Moneys 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. There is appropriated out of the general  
22 revenues of the State of Hawaii the sum of \$                    or so much.



1 thereof as may be necessary for fiscal year 2014-2015 to be  
2 deposited into the Hawaii election campaign fund established  
3 under section 11-421, Hawaii Revised Statutes.

4 SECTION 11. In codifying the new sections added by section  
5 2 of this Act, the revisor of statutes shall substitute  
6 appropriate section numbers for the letters used in designating  
7 the new sections in this Act.

8 SECTION 12. Statutory material to be repealed is bracketed  
9 and stricken. New statutory material is underscored.

10 SECTION 13. This Act shall take effect on July 1, 2030;  
11 provided that sections 8 and 9 of this Act shall take effect on  
12 July 1, 2014.



**Report Title:**

Campaign Spending Commission; Public Funding for Election Candidates; Appropriation

**Description:**

Creates a public funding program for elections to the State House of Representatives. 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 pertaining to campaign expenditure limits, maximum amounts of public funding, and minimum amounts of qualifying contributions. Appropriates funds. Effective July 1, 2030. (HB2533 HD2)

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

