

JAN 20 2016

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# A BILL FOR AN ACT

RELATING TO CAMPAIGN SPENDING.

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

1           SECTION 1.   Section 11-363, Hawaii Revised Statutes, is  
2 amended to read as follows:

3           " [§]11-363 [§]   Other contributions and expenditures.   (a)  
4 Expenditures or disbursements for electioneering communications  
5 as defined in section 11-341, or any other coordinated activity  
6 made by any person for the benefit of a candidate in  
7 cooperation, consultation, or concert with, or at the request or  
8 suggestion of, a candidate, a candidate committee, or their  
9 agents, shall be considered to be a contribution to the  
10 candidate and expenditure by the candidate.

11           (b)   The financing by any person of the dissemination,  
12 distribution, or republication, in whole or in part, of any  
13 broadcast or any written or other campaign materials prepared by  
14 the candidate, candidate committee, or their agents shall be  
15 considered to be a contribution to the candidate.

16           This subsection shall not apply [~~to~~] if the campaign  
17 material is:



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- 2       (1) Prepared and used by candidates for governor or  
3            lieutenant governor, or their candidate committees,  
4            supporting a co-candidate in the general election.
- 5       (2) Disseminated, distributed, or republished by the  
6            candidate or the candidate committee that prepared the  
7            material;
- 8       (3) Incorporated into an advertisement or electioneering  
9            communication advocating the defeat of the candidate  
10           that prepared that material; or
- 11       (4) Incorporated into a news story or editorial  
12            disseminated by any broadcast station or publisher of  
13            periodicals or newspapers, unless the candidate or the  
14            candidate committee that prepared the material also  
15            owns or controls the broadcast station or publisher.

16       ~~(b)~~ (c) "Coordinated activity" means:

- 17       (1) The payment by any person in cooperation,  
18            consultation, or concert with, at the request of, or  
19            pursuant to, any general or particular understanding  
20            with a candidate, candidate committee, the party of a



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1 candidate, or an agent of a candidate, candidate  
2 committee, or the party of a candidate;  
3 (2) The payment by any person for the production,  
4 dissemination, distribution, or republication of any  
5 written, graphic, or other form of campaign material,  
6 in whole or in part, prepared by a candidate,  
7 candidate committee, or noncandidate committee, or an  
8 agent of a candidate, candidate committee, or  
9 noncandidate committee; or

10 (3) Any payment by any person or contract for any  
11 electioneering communication, as defined in section  
12 11-341, where the payment is coordinated with a  
13 candidate, candidate committee, the party of the  
14 candidate, or an agent of a candidate, candidate  
15 committee, or the party of the candidate.

16 [~~e~~] (d) No expenditure for a candidate who files an  
17 affidavit with the commission agreeing to limit aggregate  
18 expenditures by the candidate, including coordinated activity by  
19 any person, shall be made or incurred by a candidate committee  
20 or noncandidate committee without authorization of the candidate  
21 or the candidate's authorized representative. Every expenditure



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1 so authorized and made or incurred shall be attributed to the  
2 candidate with whom the candidate committee or noncandidate  
3 committee is directly associated for the purpose of imposing the  
4 expenditure limitations set forth in section 11-423."

5 SECTION 2. Statutory material to be repealed is bracketed  
6 and stricken. New statutory material is underscored.

7 SECTION 3. This Act shall take effect upon its approval.

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INTRODUCED BY:



BY REQUEST



# S.B. NO. 2030

**Report Title:**

Campaign Spending Commission Package; Expenditures; Coordinated Activity; Dissemination; Distribution; Republication; Campaign Material

**Description:**

Distinguishes the dissemination, distribution, and republication of campaign materials from other coordinated activities. Specifies when the financing by any person of such dissemination, distribution, and republication shall not be considered a contribution to the candidate.

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

