
A BILL FOR AN ACT

RELATING TO ELECTIONEERING COMMUNICATIONS.

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

1 SECTION 1. Section 11-341, Hawaii Revised Statutes, is
2 amended by amending subsection (d) to read as follows:

3 "(d) For purposes of this section:

4 "Disclosure date" means, for every calendar year, [~~the~~
5 ~~first date by which a person has made expenditures during that~~
6 ~~same year of more than \$2,000 in the aggregate for~~
7 ~~electioneering communications, and the date of any subsequent~~
8 ~~expenditures by that person for electioneering communications.]~~
9 any date on which an electioneering communication is publicly
10 distributed; provided that the person making the electioneering
11 communication has made one or more expenditures, or has executed
12 one or more contracts to make expenditures, for the direct costs
13 of producing and distributing electioneering communications
14 aggregating more than \$2,000.

15 "Electioneering communication" means any advertisement that
16 is broadcast from a cable, satellite, television, or radio
17 broadcast station; published in any periodical or newspaper or
18 by electronic means; or sent by mail [~~at a bulk rate~~], and that:



- 1 (1) Refers to a clearly identifiable candidate;
- 2 (2) Is made, or scheduled to be made, either within thirty
- 3 days prior to a primary or initial special election or
- 4 within sixty days prior to a general or special
- 5 election; and
- 6 (3) Is not susceptible to any reasonable interpretation
- 7 other than as an appeal to vote for or against a
- 8 specific candidate.

9 "Electioneering communication" shall not include
10 communications:

- 11 (1) In a news story or editorial disseminated by any
- 12 broadcast station or publisher of periodicals or
- 13 newspapers, unless the facilities are owned or
- 14 controlled by a candidate, candidate committee, or
- 15 noncandidate committee;
- 16 [~~(2)~~] ~~That constitute expenditures by the expending~~
- 17 ~~organization;~~
- 18 ~~(3)]~~ (2) In house bulletins; or
- 19 [~~(4)]~~ (3) That constitute a candidate debate or forum, or
- 20 solely promote a debate or forum and are made by or on
- 21 behalf of the person sponsoring the debate or forum."



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 Statutory material to be repealed is bracketed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

3 SECTION 3. This Act shall take effect on January 7, 2059.

4



Report Title:

Campaign Spending Commission Package; Electioneering; Disclosure Statements; Definitions

Description:

Amends the definitions of "disclosure date" and "electioneering communication" pertaining to electioneering disclosure statements. Takes effect on 01/07/2059. (SD1)

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