

JAN 19 2018

A BILL FOR AN ACT

RELATING TO ELECTIONEERING COMMUNICATIONS.

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

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

"(d) For purposes of this section:

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

"Electioneering communication" means any advertisement that is broadcast from a cable, satellite, television, or radio



1 broadcast station; published in any periodical or newspaper or
2 by electronic means; or sent by mail [~~at a bulk rate~~], and that:

3 (1) Refers to a clearly identifiable candidate;

4 (2) Is made, or scheduled to be made, either within thirty
5 days prior to a primary or initial special election or
6 within sixty days prior to a general or special
7 election; and

8 (3) Is not susceptible to any reasonable interpretation
9 other than as an appeal to vote for or against a
10 specific candidate.

11 "Electioneering communication" shall not include
12 communications:

13 (1) In a news story or editorial disseminated by any
14 broadcast station or publisher of periodicals or
15 newspapers, unless the facilities are owned or
16 controlled by a candidate, candidate committee, or
17 noncandidate committee;

18 [~~(2) That constitute expenditures by the expending~~
19 ~~organization;~~

20 ~~(3) In-house]~~ (2) That are in-house bulletins; or



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1 ~~[(4)]~~ (3) That constitute a candidate debate or forum, or
2 solely promote a debate or forum and are made by or on
3 behalf of the person sponsoring the debate or forum."

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 Statutory material to be repealed is bracketed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

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

INTRODUCED BY: _____



By Request



S.B. NO. 2152

Report Title:

Campaign Spending Commission Package; Electioneering; Disclosure Statements; Definitions

Description:

Amends the definition of "disclosure date" to mean the date on which the electioneering communication is publicly distributed. Expands the definition of "electioneering communication" to apply to advertisements sent by any mail rate and communications regarding expenditures of the organization.

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