
A BILL FOR AN ACT

RELATING TO CAMPAIGN CONTRIBUTIONS.

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

1 SECTION 1. The purpose of this Act is to provide that
2 excess contributions by nonresident contributors shall be
3 returned to a nonresident contributor of the candidate's or
4 candidate committee's choosing within thirty days of notice of
5 the excess from the campaign spending commission, after
6 determination of any excess by the campaign spending commission
7 based on the final election period report, or the excess shall
8 escheat to the Hawaii election campaign fund.

9 SECTION 2. Section 11-364, Hawaii Revised Statutes, is
10 amended to read as follows:

11 "~~+~~§11-364~~+~~ **Excess contribution; return; escheat.** (a)
12 Any candidate or candidate committee that receives in the
13 aggregate more than the applicable contribution limit in section
14 11-357, 11-358, 11-359, or 11-360 shall return any excess
15 contribution to the contributor within thirty days of receipt of
16 the excess contribution. Any excess contribution not returned



1 to the contributor within thirty days shall escheat to the
2 Hawaii election campaign fund.

3 (b) Any candidate or candidate committee that receives in
4 the aggregate more than the applicable contribution limit of
5 nonresident contributions in section 11-362, as determined by
6 the commission after the final election period report has been
7 submitted, shall return any excess contribution to one or more
8 nonresident contributors, as chosen by the candidate or
9 candidate committee within thirty days of receipt of notice of
10 the excess from the commission. Any excess nonresident
11 contribution not returned to one or more nonresident
12 contributors within thirty days shall escheat to the Hawaii
13 election campaign fund.

14 [~~b~~] (c) A candidate, candidate committee, or
15 noncandidate committee that complies with this section prior to
16 the initiation of administrative action shall not be subject to
17 any fine under section 11-410."

18 SECTION 3. Statutory material to be repealed is bracketed
19 and stricken. New statutory material is underscored.

20 SECTION 4. This Act shall take effect on November 4, 2020.



Report Title:

Campaign Spending Commission Package; Contribution Limits;
Nonresidents; Return of Contribution

Description:

Provides that excess contributions by nonresident contributors shall be returned to a nonresident contributor of the candidate or candidate committee's within 30 days of notice of the excess from the Campaign Spending Commission, after determination of any excess by the Commission based on the final election period report, or else escheat to the Hawaii election campaign fund. Takes effect 11/4/2020. (SD1)

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