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# A BILL FOR AN ACT

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RELATING TO CAMPAIGN ADVERTISEMENTS.

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

SECTION 1. Section 11-391, Hawaii Revised Statutes, is amended to read as follows:

**"§11-391 Advertisements.** (a) Any advertisement that is broadcast, televised, circulated, published, distributed, or otherwise communicated, including by electronic means, shall:

(1) Contain the name and address of the candidate, candidate committee, noncandidate committee, or other person paying for the advertisement;

(2) Contain a notice in a prominent location stating either that:

(A) The advertisement has the approval and authority of the candidate; provided that an advertisement paid for by a candidate, candidate committee, or ballot issue committee does not need to include the notice; or

(B) The advertisement has not been approved by the candidate; and



(3) Not contain false information about the time, date, place, or means of voting.

(b) Any multiple-page advertisement that is circulated, published, distributed, or otherwise communicated, including by electronic means, shall contain in a prominent location on the first page of the advertisement the information required by subsection (a); provided that if the advertisement is used as the lead article and displayed on the cover page of a state- or county-wide distributed publication, then the notice shall be displayed on the cover page of the publication.

~~[(b)]~~ (c) The fine for violation of this section, if assessed by the commission, shall not exceed \$25 for each advertisement that lacks the information required by this section or provides prohibited information, and shall not exceed an aggregate amount of \$5,000."

SECTION 2. Section 11-410, Hawaii Revised Statutes, is amended by amending subsection (h) to read as follows:

"(h) This section shall not apply to any person who, prior to the commencement of proceedings under this section, has paid or agreed to pay the fines prescribed by sections 11-340 and ~~[11-391(b)]~~ 11-391(c)."



1       SECTION 3. Section 11-412, Hawaii Revised Statutes, is  
2 amended by amending subsection (g) to read as follows:  
3       "(g) This section shall not apply to any person who, prior  
4 to the commencement of proceedings under this section, has paid  
5 or agreed to pay the fines prescribed by sections 11-340  
6 and [~~11-391(b)~~] 11-391(c)."

7       SECTION 4. Statutory material to be repealed is bracketed  
8 and stricken. New statutory material is underscored.

9       SECTION 5. This Act shall take effect on July 1, 2112.



**Report Title:**

Elections; Campaign Finance; Advertisements; Disclosure

**Description:**

Requires, in the case of any multiple-page advertisement, for the required disclosures to be made on the first page of the advertisement or on the cover page of the publication if the advertisement is used as the lead article and displayed on the cover page of a state- or county-wide distributed publication. Effective 7/1/2112. (HD1)

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

