

JAN 27 2021

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# A BILL FOR AN ACT

RELATING TO ELECTION CAMPAIGNS.

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

1       SECTION 1. The legislature finds that voters become  
2       confused and disturbed when candidates for public office  
3       employ unfair, unethical, and dishonest campaign practices.  
4       The legislature wishes to encourage candidates to conduct  
5       their campaigns consistent with the code of fair campaign  
6       practices, which was previously adopted and used by the  
7       campaign spending commission.

8       The purpose of this Act is to adopt the code of fair  
9       campaign practices that candidates may use as a guide for their  
10      election campaigns.

11      SECTION 2. Chapter 5, Hawaii Revised Statutes, is amended  
12      by adding a new section to be appropriately designated and to  
13      read as follows:

14      "§5- Fair campaign practices. (a) Candidates for  
15      public office are encouraged to conduct their campaigns  
16      consistent with fair campaign practices that preserve the  
17      basic principles of decency, honesty, and fair play in



1 election campaigns. A candidate may pledge to conduct their  
2 campaign consistent with the code of fair campaign practices  
3 in paragraph (b).

4 (b) Code of fair campaign practices. Every candidate has  
5 a civic duty to observe and uphold basic principles of decency,  
6 honesty, and fair play so that, after vigorously contested but  
7 fairly conducted campaigns, our citizens may exercise their  
8 constitutional right to a free and informed choice that  
9 expresses their will. Candidates for public office may make the  
10 following pledge:

11 (1) I shall conduct my campaign openly and publicly,  
12 discussing the issues as I see them, presenting my  
13 record and policies with sincerity and frankness, and  
14 criticizing without fear and without malice the record  
15 and policies of my opponents and their political  
16 parties that merit such criticism;

17 (2) I shall not use campaign material relating to any  
18 candidate's election that misrepresents, distorts, or  
19 otherwise falsifies the facts regarding the candidate;

20 (3) I shall refrain from the use of personal vilification,  
21 character defamation, or any other form of scurrilous



1           personal attacks on any candidate or the candidate's  
2           family;

3           (4) I shall condemn any dishonest or unethical practice  
4           that tends to corrupt or undermine our American system  
5           of free elections or that hampers or prevents the full  
6           and free expression of the will of the voters;

7           (5) I shall condemn any appeal to prejudice based on race,  
8           sex, sexual orientation, religion, national origin, or  
9           age;

10          (6) I shall not coerce election help or campaign  
11          contributions for myself or for any other candidate  
12          from my employees or my subordinates;

13          (7) I shall accept full responsibility for the conduct of  
14          those persons working directly in my campaign and  
15          shall pledge immediate action against retaining any  
16          person who violates any provision of this Code or the  
17          laws governing elections;

18          (8) I shall not originate or spread any malicious or  
19          unfounded accusations against any candidate that are  
20          aimed at creating or exploiting doubts on the part of



the public as to the candidate's loyalty and

patriotism; and

(9) I shall immediately and publicly repudiate support deriving from any individual or group, acting on behalf of my candidacy, who resorts to the methods and tactics contrary to the code of fair campaign practices."

SECTION 3. New statutory material is underscored.

SECTION 4. This Act shall take effect upon its approval.

INTRODUCED BY:

Richard J



# S.B. NO. 1268

**Report Title:**

Election Campaigns; Code of Fair Campaign Practices

**Description:**

Adopts the code of fair campaign practices encouraging candidates to agree and pledge to conduct their campaigns consistent with the code.

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

