

JAN 22 2021

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# A BILL FOR AN ACT

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RELATED TO CAMPAIGN FINANCE.

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

1       SECTION 1.   Section 11-323, Hawaii Revised Statutes, is  
2 amended to read as follows:

3       "**§11-323   Organizational report, noncandidate committee.**

4       (a)   The noncandidate committee organizational report shall  
5 include:

6           (1)   The committee's name, which shall incorporate the full  
7               name of the sponsoring entity, if any.   An acronym or  
8               abbreviation may be used in other communications if  
9               the acronym or abbreviation is commonly known or  
10              clearly recognized by the general public.   The  
11              committee's name shall not include the name of a  
12              candidate;

13          (2)   The committee's address, including web page address,  
14               if any;

15          (3)   The area, scope, or jurisdiction of the committee;

16          (4)   The name and address of the committee's sponsoring  
17               entity.   If the committee does not have a sponsoring



entity, the committee shall specify the trade,  
profession, or primary interest of contributors to the  
committee;

(5) The name, address, telephone number, occupation, and  
principal place of business of the chairperson;

(6) The name, address, telephone number, occupation, and  
principal place of business of the treasurer and any  
other officers;

(7) An indication as to whether the committee was formed  
to support or oppose a specific ballot question or  
candidate and, if so, a brief description of the  
question or the name of the candidate;

(8) An indication as to whether the committee is a  
political party committee;

(9) The name, address, telephone number, occupation, and  
principal place of business of the custodian of the  
books and accounts;

(10) The name and address of the depository institution in  
which the committee will maintain its campaign account  
and each applicable account number; and



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1 (11) A certification by the chairperson and treasurer of  
2 the statements in the organizational report.

3 (b) Any change in information previously reported in the  
4 organizational report, with the exception of subsection (a)(12),  
5 shall be electronically filed with the commission within ten  
6 days of the change being brought to the attention of the  
7 committee chairperson or treasurer.

8 (c) Any noncandidate committee that violates all or any  
9 part of this section shall be subject to a minimum fine of  
10 \$1,000 per violation."

11 SECTION 2. Section 11-391, Hawaii Revised Statutes, is  
12 amended by amending subsection (b) to read as follows:

13 "(b) The fine for violation of this section, if assessed  
14 by the commission, shall [~~not exceed \$25~~] be at least \$150 for  
15 each advertisement that lacks the information required by this  
16 section or provides prohibited information, and shall not exceed  
17 [~~an aggregate amount of \$5,000.~~] twenty-five per cent of the  
18 total expenditure for the advertisement lacking the proper  
19 disclaimer."

20 SECTION 3. Section 11-393, Hawaii Revised Statutes, is  
21 amended by amending subsection (d) to read as follows:



1        "(d) Any noncandidate committee that violates this section  
2 shall be subject to a minimum fine [~~under section 11-410.~~] of  
3 \$1,000 per violation, not to exceed twenty-five per cent of the  
4 total expenditure for the advertisement lacking the proper  
5 disclaimer."

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

8        SECTION 5. This Act shall take effect on July 1, 2021.

9  
INTRODUCED BY:





# S.B. NO. 212

**Report Title:**

Campaign Finance; Advertisements; Noncandidate Committees;  
Violations; Fines

**Description:**

Increases the amount of fines that may be assessed against a noncandidate committee for violations of organizational report requirements and the amount of fines that may be assessed for violations of advertisement disclaimer requirements.

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

