

Honolulu, Hawaii
, 2022

FEB 10

RE: H.B. No. 1888
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2022
State of Hawaii

Sir:

Your Committee on Government Reform, to which was referred
H.B. No. 1888 entitled:

"A BILL FOR AN ACT RELATING TO ELECTIONEERING
COMMUNICATIONS,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Require that disclosures of electioneering communications occur on the date the electioneering communications are publicly distributed; and
- (2) Specify the disclosure date for subsequent expenditures for electioneering communications.

Your Committee received testimony in support of this measure from the Campaign Spending Commission and Common Cause Hawaii.

Your Committee finds that electioneering communications reporting is required for noncandidate committees whose expenditures are not the result of direct contributions to any candidate and represent an unchecked resource that can be used to unduly influence the results of candidate and issue elections. Your Committee further finds that, because of the unchecked and



unknown sources of these funds, additional scrutiny for their expenditures is warranted.

Your Committee also finds that there is a disparity between the definition of "electioneering communications" and the exceptions to electioneering communications. Specifically, digital, internet-only news periodicals are not included within these exceptions. As such, the exceptions could inadvertently leave out publications like Civil Beat, which provides all of its content online to its readers and whose news stories should not be considered electioneering communications for the purposes of this chapter.

Your Committee has amended this measure by:

- (1) Increasing the monetary threshold of aggregated expenditures for electioneering communications in a calendar year from more than \$1,000 to more than \$2,000 before the filing of a statement of information would be required;
- (2) Exempting election advertisements published by electronic means from being considered electioneering communications;
- (3) Repealing the actual expenditures exception from the definition of "electioneering communications";
- (4) Changing its effective date to July 1, 2112, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Government Reform that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1888, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1888, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.



Respectfully submitted on
behalf of the members of the
Committee on Government Reform,



ANGUS L.K. MCKELVEY, Chair



