

Honolulu, Hawaii

, 2022

APR 28

RE: H.B. No. 2416
H.D. 2
S.D. 1
C.D. 1

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

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2022
State of Hawaii

Sirs:

Your Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 2416, H.D. 2, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to inform the public of the sources of campaign spending contributions by:

- (1) Permitting 501(c)(4) nonprofit organizations to use donations for electioneering communications, independent expenditures, or contributions only upon receipt of written consent from the donor to use such donations for these purposes and requiring nonprofit organizations to provide certain written notice to donors;
- (2) Requiring 501(c)(4) nonprofit organizations to disclose the name and address of each donor who donates an

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aggregate of more than \$10,000, with certain exceptions;
and

- (3) Specifying that the disclosure date of an electioneering communication and only subsequent electioneering communications is the first date the original or subsequent electioneering communication is made.

Your Committee on Conference has amended this measure by:

- (1) Specifying that the consent, notice, disclosure, and reporting requirement under this measure are applicable to 501(c)(4) nonprofit organizations that are subject to Chapter 11, Hawaii Revised Statutes, relating to elections, and are operating as noncandidate committees;
- (2) Exempting election advertisements published by electronic means and candidate debates or forums made by or on behalf of an organization sponsoring the debate or forum from being considered electioneering communications;
- (3) Requiring the disclosure by 501(c)(4) nonprofit organizations of the name and address of each donor making a donation individually or aggregating more than \$10,000;
- (4) Requiring disclosure of an electioneering communication and subsequent electioneering communication on the first date the electioneering communication or subsequent electioneering communication is publicly distributed, rather than on the first date these electioneering communications are made;
- (5) Clarifying that the disclosure date for mailers means the date the mailers are first mailed;
- (6) Changing the effective date to January 1, 2023; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2416, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2416, H.D. 2, S.D. 1, C.D. 1.

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Respectfully submitted on behalf
of the managers:

ON THE PART OF THE SENATE

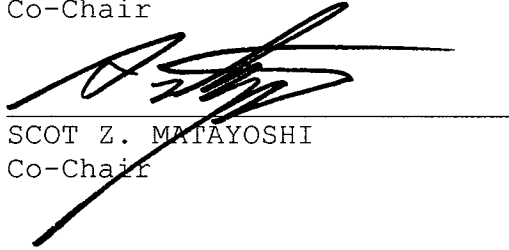


KARL RHOADS
Chair

ON THE PART OF THE HOUSE



ANGUS L.K. MCKELVEY
Co-Chair



SCOT Z. MATAYOSHI
Co-Chair



Hawaii State Legislature
Record of Votes of a
Conference Committee

CCR 24-22

Bill / Concurrent Resolution No.: HB 2416, HD 2, SD 1					Date/Time: 04/28/2022 10:44				
<input checked="" type="checkbox"/> The recommendation of the House and Senate managers is to pass with amendments (CD).									
<input type="checkbox"/> The Committee is reconsidering its previous decision.									
<input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure					<input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.				
Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
RHOADS, Karl, Chr.	✓	✓			MCKELVEY, Angus L.K., Co-Chr.	✓	✓		
LEE, Chris	✓				MATAYOSHI, Scot Z., Co-Chr.	✓	✓		
FEVELLA, Kurt				✓	KITAGAWA, Lisa	✓			
					NAKASHIMA, Mark M.				✓
					WARD, Gene	✓			
TOTAL	2	0	0	1	TOTAL	4	0	0	1
A = Aye		WR = Aye with Reservations			N = Nay		E = Excused		
Senate Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted					House Recommendation is: <input type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Senate Lead Chair's or Designee's Signature: <i>Karl Rhoads</i>					House Lead Chair's or Designee's Signature: <i>[Signature]</i>				
Distribution:		Original <i>File with Conference Committee Report</i>			Yellow <i>House Clerk's Office</i>		Pink <i>Senate Clerk's Office</i>		Goldenrod <i>Drafting Agency</i>