

STAND. COM. REP. NO. 2202

Honolulu, Hawaii

FEB 09 2022

RE: S.B. No. 2388
S.D. 1

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

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 2388 entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to require disclosure of electioneering communications to occur on the date of any 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 received comments on this measure from one individual.

Your Committee finds that Act 3, Special Session Laws of Hawaii 2021, repealed the requirement that disclosures of electioneering communications occur on the date of any expenditures subsequent to the initial \$1,000 threshold that triggers disclosure of electioneering communications. Your Committee further finds that as a result, when subsequent expenditures for electioneering communications are made, there is currently no disclosure requirement. This measure reinstates the requirement for disclosures for subsequent expenditures for electioneering communications, which will increase public transparency and accountability in campaign advertising.



Your Committee has amended this measure by:

- (1) Increasing the monetary threshold that triggers disclosure of electioneering communications from \$1,000 to \$2,000;
- (2) Repealing the exception to the definition of "electioneering communication" that excluded those communications that constitute actual expenditures by the expending organization; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2388, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2388, S.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



KARL RHOADS, Chair



The Senate
 Thirty-First Legislature
 State of Hawai'i

**Record of Votes
 Committee on Judiciary
 JDC**

Bill / Resolution No.:* SB 2388	Committee Referral: JDC	Date: 02-01-22		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	✓			
KEOHOKALOPE, Jarrett (VC)	✓			
ACASIO, Laura	✓			
GABBARD, Mike	✓			
KIM, Donna Mercado	✓			
LEE, Chris	✓			
FEVELLA, Kurt	✓			
TOTAL	7	-	-	-
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Karl Rhoads</i>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

***Only one measure per Record of Votes**