
A BILL FOR AN ACT

RELATING TO PARTIAL PUBLIC FINANCING OF ELECTIONS.

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

1 SECTION 1. The legislature finds that the house of
2 representatives adopted House Resolution No. 9 (2022) to
3 establish the commission to improve standards of conduct. The
4 resolution requests the commission ensure state laws and rules
5 relating to standards of conduct of public officers and
6 employees contain clear standards, enforcement, and penalties
7 and provide recommendations to increase awareness of, compliance
8 with, and deterrent effects of the code of ethics, lobbying
9 laws, campaign finance laws, and other relevant laws and rules.

10 Pursuant to House Resolution No. 9, the commission to
11 improve standards of conduct convened regularly throughout 2022
12 to diligently review, discuss, and consider the issues
13 presented, submitted an interim report to the house of
14 representatives outlining areas of immediate and long-term
15 focus, then continued its work with input from the public and
16 invited individuals and agencies to issue a final report with
17 various recommendations and accompanying proposed legislation.



H.B. NO.

1 The legislature also finds that the strength and stability
2 of our democratic government rely upon the public's trust in
3 government institutions, including the expectation that officers
4 act ethically with prudence, integrity, and sound judgement.
5 Therefore, an essential goal of the Commission was to provide
6 recommendations that would help restore public trust in state
7 government and increase the level of transparency in its
8 operations and accountability of individuals.

9 Additionally, the legislature finds that the amounts
10 available to candidates in Hawaii's partial public financing
11 program was last amended in 1995. Since that time, the value of
12 the dollar has risen to approximately \$1.92.

13 Accordingly, the purpose of this Act is to increase the
14 amount of funds available to candidates qualified to participate
15 in the partial public financing program by, among other things:

- 16 (1) Increasing the amount of funds available to all
17 candidates, including candidates for the board of
18 trustees for the office of Hawaiian affairs, who run
19 state-wide;
- 20 (2) Increasing the matching fund payments from \$1 for each
21 \$1 of qualifying contributions in excess of the



H.B. NO.

1 minimum qualifying contribution amounts to \$2 for each
2 \$1 of excess qualifying contributions;

3 (3) Making downward adjustments to the amount of minimum
4 qualifying contributions required for the office of
5 the prosecuting attorney for the city and county of
6 Honolulu, county of Hawaii, and county of Kauai, and
7 the office of county council for the county of Maui;
8 and

9 (4) Appropriating funds from the general revenues of the
10 State to increase the amount of funds available in the
11 partial public financing program and to permit the
12 campaign spending commission to hire more staff to
13 address the anticipated increase in participation in
14 the partial public financing program.

15 SECTION 2. Section 11-425, Hawaii Revised Statutes, is
16 amended to read as follows:

17 **"§11-425 Maximum amount of public funds available to**
18 **candidate.** (a) The maximum amount of public funds available in
19 each election to a candidate for the office of governor,
20 lieutenant governor, or mayor of the city and county of Honolulu
21 and the county of Hawaii, shall not exceed [~~ten~~] fifteen per



H.B. NO.

1 cent of the expenditure limit established in section 11-423(d)
2 for each election.

3 (b) The maximum amount of public funds available in each
4 election to a candidate for the office of state senator, state
5 representative, mayor of the county of Kauai and the county of
6 Maui, county council member, and prosecuting attorney shall not
7 exceed [~~fifteen~~] twenty-two and a half per cent of the
8 expenditure limit established in section 11-423(d) for each
9 election.

10 (c) For the office of Hawaiian affairs, the maximum amount
11 of public funds available to a candidate shall not exceed
12 [~~\$1,500 in any election year.~~] ten per cent of the expenditure
13 limit established in section 11-423(d) for each election.

14 (d) [~~For all other offices, the maximum amount of public~~
15 ~~funds available to a candidate shall not exceed \$100 in any~~
16 ~~election year.~~

17 (e)] Each candidate who qualified for the maximum amount
18 of public funding in any primary election and who is a candidate
19 for a subsequent general election shall apply with the
20 commission to be qualified to receive the maximum amount of
21 public funds as provided in this section for the respective



H.B. NO.

1 general election. For purposes of this section, "qualified"
2 means meeting the qualifying campaign contribution requirements
3 of section 11-429."

4 SECTION 3. Section 11-429, Hawaii Revised Statutes, is
5 amended by amending subsections (a) and (b) to read as follows:

6 "(a) As a condition of receiving public funds for a
7 primary or general election, a candidate shall not be unopposed
8 in any election for which public funds are sought, shall have
9 filed an affidavit with the commission pursuant to section 11-
10 423 to voluntarily limit the candidate's campaign expenditures,
11 and shall be in receipt of the following sum of qualifying
12 contributions from individual residents of Hawaii:

13 (1) For the office of governor--qualifying contributions
14 that in the aggregate exceed \$100,000;

15 (2) For the office of lieutenant governor--qualifying
16 contributions that in the aggregate exceed \$50,000;

17 (3) For the office of mayor for each respective county:

18 (A) County of Honolulu--qualifying contributions that
19 in the aggregate exceed \$50,000;

20 (B) County of Hawaii--qualifying contributions that
21 in the aggregate exceed \$15,000;



H.B. NO.

- 1 (C) County of Maui--qualifying contributions that in
2 the aggregate exceed \$10,000; and
- 3 (D) County of Kauai--qualifying contributions that in
4 the aggregate exceed \$5,000;
- 5 (4) For the office of prosecuting attorney for each
6 respective county:
- 7 (A) County of Honolulu--qualifying contributions that
8 in the aggregate exceed [~~\$30,000~~] \$25,000;
- 9 (B) County of Hawaii--qualifying contributions that
10 in the aggregate exceed [~~\$10,000~~] \$5,000; and
- 11 (C) County of Kauai--qualifying contributions that in
12 the aggregate exceed [~~\$5,000~~] \$3,000;
- 13 (5) For the office of county council--for each respective
14 county:
- 15 (A) County of Honolulu--qualifying contributions that
16 in the aggregate exceed \$5,000;
- 17 (B) County of Hawaii--qualifying contributions that
18 in the aggregate exceed \$1,500;
- 19 (C) County of Maui--qualifying contributions that in
20 the aggregate exceed [~~\$5,000~~] \$4,000; and



H.B. NO.

1 (D) County of Kauai--qualifying contributions that in
2 the aggregate exceed \$3,000;

3 (6) For the office of state senator--qualifying
4 contributions that, in the aggregate exceed \$2,500;

5 (7) For the office of state representative--qualifying
6 contributions that, in the aggregate, exceed \$1,500;

7 (8) For the office of Hawaiian affairs--qualifying
8 contributions that, in the aggregate, exceed [~~\$1,500,~~
9 \$5,000; and

10 (9) For all other offices, qualifying contributions that,
11 in the aggregate, exceed \$500.

12 (b) A candidate shall obtain the minimum qualifying
13 contribution amount set forth in subsection (a) once for the
14 election period.

15 (1) If the candidate obtains the minimum qualifying
16 contribution amount, the candidate is eligible to
17 receive:

18 (A) The minimum payment in an amount equal to the
19 minimum qualifying contribution amounts; and



H.B. NO.

1 (B) Payments of [~~\$1~~] \$2 for each \$1 of qualifying
2 contributions in excess of the minimum qualifying
3 contribution amounts; and

4 (2) A candidate shall have at least one other qualified
5 candidate as an opponent for the primary or general
6 election to receive public funds for that election."

7 SECTION 4. There is appropriated out of the general
8 revenues of the State of Hawaii the sum of \$ or so
9 much thereof as may be necessary for fiscal year 2023-2024 and
10 the same sum or so much thereof as may be necessary for fiscal
11 year 2024-2025 to be deposited into the Hawaii election campaign
12 fund.

13 SECTION 5. There is appropriated out of the general
14 revenues of the State of Hawaii the sum of \$200,000 or so much
15 thereof as may be necessary for fiscal year 2023-2024 and the
16 same sum or so much thereof as may be necessary for fiscal year
17 2024-2025 for two full-time equivalent (2.0 FTE) permanent
18 positions to be placed within the campaign spending commission
19 to address the anticipated increase in participation in the
20 partial public financing program.



H.B. NO.

1 The sums appropriated shall be expended by the campaign
2 spending commission for the purposes of this Act.

3 SECTION 6. This Act does not affect rights and duties that
4 matured, penalties that were incurred, and proceedings that were
5 begun before its effective date.

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

8 SECTION 8. This Act shall take effect on July 1, 2023.

9

INTRODUCED BY: _____



H.B. NO.

Report Title:

Commission to Improve Standards of Conduct; Elections; Partial Public Financing; Office of Hawaiian Affairs; Increases; Appropriation

Description:

Increases the amount of partial public financing available for all offices. Increases the maximum amount of public funds available for all offices by fifty per cent. Increases the maximum amount of public funds available for a candidate for OHA from \$1,500 to ten per cent of the expenditure limit established by statute for each election. Increases the amounts of qualifying contributions for OHA from more than \$1,500 in the aggregate to more than \$5,000 in the aggregate. Provides a downward adjustment of the minimum amounts of qualifying contributions for the office of prosecuting attorney for the city and county of Honolulu, and counties of Hawaii and Kauai, and for the office of county council for the county of Maui. Establishes two full-time equivalent (2.0 FTE) positions in the campaign spending commission. Appropriates funds.

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

