
A BILL FOR AN ACT

RELATING TO ELECTIONS.

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

1 SECTION 1. The legislature finds that the current state of
2 politics and public mistrust in government necessitate the
3 enactment of more rigorous campaign disclosure laws. The
4 legislature firmly believes that it is clear that the State has
5 sufficiently important government interests in an informed
6 electorate, deterring corruption and the appearance of
7 corruption, and gathering the data necessary to detect campaign
8 spending violations. Campaign disclosure requirements directly
9 serve these sufficiently important government interests.

10 The legislature further finds that in the seminal case on
11 campaign finance law, *Buckley v. Valeo*, 424 U.S. 1 (1976), the
12 United States Supreme Court acknowledged the sufficiently
13 important government interest in ensuring that voters are fully
14 informed through campaign spending disclosure requirements. The
15 United States Supreme Court also acknowledged that campaign
16 spending disclosure requirements directly serve the sufficiently
17 important government interests of deterring corruption and the



1 appearance of corruption as well as gathering the data necessary
2 to detect campaign spending violations.

3 The legislature also finds that the State's existing
4 campaign finance laws fail to reveal the source of campaign
5 expenditures for noncandidate committees when the expenditures
6 are under \$1,000. Because of this arbitrary limit, there is a
7 lack of transparency that fails to inform the public about who
8 is trying to influence an election.

9 In addition, the legislature finds that under existing law,
10 candidate committees are required to register with the campaign
11 spending commission once they receive contributions or make or
12 incur expenditures in an aggregate amount of more than \$100 for
13 the purpose of influencing a nomination for election. It is
14 important to align the registration requirements of noncandidate
15 committees with those of candidate committees, since both types
16 of committees are attempting to influence an election.

17 Therefore, the purpose of this Act is to enhance
18 transparency by lowering the threshold for disclosure of
19 campaign expenditures to \$100, thus providing greater
20 accountability and public awareness.



1 SECTION 2. Section 11-321, Hawaii Revised Statutes, is
2 amended by amending subsection (g) to read as follows:

3 "(g) The organizational report for a noncandidate
4 committee shall be filed within ten days of receiving
5 contributions or making or incurring expenditures of more than
6 [~~\$1,000,~~ \$100, in the aggregate, in a two-year election period;
7 provided that within the thirty-day period prior to an election,
8 a noncandidate committee shall register by filing an
9 organizational report within two days of receiving contributions
10 or making or incurring expenditures of more than [~~\$1,000,~~ \$100,
11 in the aggregate, in a two-year election period."

12 SECTION 3. This Act does not affect rights and duties that
13 matured, penalties that were incurred, and proceedings that were
14 begun before its effective date.

15 SECTION 4. Statutory material to be repealed is bracketed
16 and stricken. New statutory material is underscored.

17 SECTION 5. This Act shall take effect upon its approval.

18 INTRODUCED BY:


JAN 20 2023



H.B. NO. 463

Report Title:

Campaign Expenditures; Reporting Requirement; Monetary Threshold

Description:

Lowers the threshold for disclosure of campaign expenditures for noncandidate committees to \$100.

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

