

JAN 25 2023

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# A BILL FOR AN ACT

RELATING TO LOBBYISTS.

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

1           SECTION 1. The legislature finds that contributions made  
2 during legislative sessions, including extended sessions or  
3 special sessions, can create the perception that the  
4 contribution is, or is intended to, influence decisions being  
5 taken on pending legislation. The legislature's passage of Act  
6 283, Session Laws of Hawaii 2022, to prohibit elected state and  
7 county officials from holding fundraisers during regular and  
8 special sessions of the state legislature is one approach to  
9 restoring confidence in Hawai'i's legislative process.

10           The legislature further finds that a number of states  
11 restrict or prohibit contributions from lobbyists during  
12 legislative sessions. According to the National Conference of  
13 State Legislatures, at least thirteen states have enacted such  
14 laws. Some extend the window where contributions cannot be made  
15 by lobbyists to the period when legislation from the regular  
16 session is awaiting gubernatorial action (Arizona and Colorado),  
17 a set period following the adjournment of a session (Iowa and



1 Oklahoma), and to only allowing contributions during the  
2 election year for that candidate (Wisconsin). The legislature  
3 concludes that restricting lobbyists from donating, or promising  
4 to later donate, to an elected official during a legislative  
5 session and the five days before and after the session will  
6 further the goal of reducing undue influence and its appearance.

7 The purpose of this Act is to prohibit, during legislative  
8 sessions and shortly before and after, lobbyist contributions,  
9 and promises of contributions, to any elected official or to any  
10 candidate or candidate committee who has received contributions  
11 or made or incurred expenditures of more than \$100 in the  
12 applicable election period requiring the filing of an  
13 organizational report with the campaign spending commission.

14 SECTION 2. Chapter 11, Hawaii Revised Statutes, is amended  
15 by adding a new section to part XIII, subpart E, to be  
16 appropriately designated and to read as follows:

17 "§11- Contributions by lobbyists prohibited during  
18 legislative session. (a) During any regular session or special  
19 session of the state legislature, including any extension of any  
20 regular session or special session and any legislative recess  
21 days, holidays, and weekends, and for five calendar days before



1 and after a session, no lobbyist shall make, or promise to make  
2 at a later time, any contributions or expenditures to or on  
3 behalf of an elected official, candidate, candidate committee,  
4 or any other individual required to file an organization report  
5 pursuant to section 11-321. No elected official, candidate, or  
6 candidate committee, or other individual required to file an  
7 organization report pursuant to section 11-321 shall accept, or  
8 agree to accept at a later time, any contribution from a  
9 lobbyist during the specified period.

10 (b) For the purposes of this section:

11 "Elected official" shall have the same meaning as in  
12 section 11-342.

13 "Lobbyist" shall have the same meaning as in section 97-1."

14 SECTION 3. Section 97-5, Hawaii Revised Statutes, is  
15 amended to read as follows:

16 "[~~f~~]§97-5[~~t~~] **Restricted activities.** (a) No lobbyist  
17 shall accept or agree to accept any payment in any way  
18 contingent upon the defeat, enactment, or outcome of any  
19 proposed legislative or administrative action. During any  
20 regular session or special session of the state legislature,  
21 including any extension of any regular session or special



1 session and any legislative recess days, holidays, and weekends,  
2 and for five calendar days before and after a session, no  
3 lobbyist shall make, or promise to make at a later time, any  
4 contributions or expenditures to or on behalf of an elected  
5 official, candidate, candidate committee, or any other  
6 individual required to file an organization report pursuant to  
7 section 11-321.

8 (b) For the purposes of this section:

9 "Elected official" shall have the same meaning as in  
10 section 11-342.

11 "Lobbyist" shall have the same meaning as in section 97-1."

12 SECTION 4. Statutory material to be repealed is bracketed  
13 and stricken. New statutory material is underscored.

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

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INTRODUCED BY: \_\_\_\_\_



# S.B. NO. 1493

**Report Title:**

Lobbyist Contributions; Legislative Session; Candidates;  
Prohibited

**Description:**

Prohibits, during legislative sessions and shortly before and after, lobbyist contributions, and promises of contributions, to any elected official or to any candidate or candidate committee who has received contributions or made or incurred expenditures of more than \$100 in the applicable election period requiring the filing of an organizational report with the Campaign Spending Commission.

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

