

JAN 18 2023

A BILL FOR AN ACT

RELATING TO CAMPAIGN FINANCE.

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

1 SECTION 1. Section 11-323, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "§11-323 Organizational report, noncandidate committee.

4 (a) The noncandidate committee organizational report shall
5 include:

6 (1) The committee's name, which shall incorporate the full
7 name of the sponsoring entity, if any. An acronym or
8 abbreviation may be used in other communications if
9 the acronym or abbreviation is commonly known or
10 clearly recognized by the general public. The
11 committee's name shall not include the name of a
12 candidate;

13 (2) The committee's address, including web page address,
14 if any;

15 (3) The area, scope, or jurisdiction of the committee;

16 (4) The name and address of the committee's sponsoring
17 entity. If the committee does not have a sponsoring



1 entity, the committee shall specify the trade,
2 profession, or primary interest of contributors to the
3 committee;

4 (5) The name, address, telephone number, occupation, and
5 principal place of business of the chairperson;

6 (6) The name, address, telephone number, occupation, and
7 principal place of business of the treasurer and any
8 other officers;

9 (7) An indication as to whether the committee was formed
10 to support or oppose a specific ballot question or
11 candidate and, if so, a brief description of the
12 question or the name of the candidate;

13 (8) An indication as to whether the committee is a
14 political party committee;

15 (9) The name, address, telephone number, occupation, and
16 principal place of business of the custodian of the
17 books and accounts;

18 (10) The name and address of the depository institution in
19 which the committee will maintain its campaign account
20 and each applicable account number; and



1 (11) A certification by the chairperson and treasurer of
2 the statements in the organizational report.

3 (b) Any change in information previously reported in the
4 organizational report, with the exception of subsection (a)(12),
5 shall be electronically filed with the commission within ten
6 days of the change being brought to the attention of the
7 committee chairperson or treasurer.

8 (c) Any noncandidate committee that violates all or any
9 part of this section shall be subject to a minimum fine of
10 \$1,000 per violation."

11 SECTION 2. Section 11-391, Hawaii Revised Statutes, is
12 amended by amending subsection (b) to read as follows:

13 "(b) The fine for violation of this section, if assessed
14 by the commission, shall not exceed \$25 for each advertisement
15 that lacks the information required by this section or provides
16 prohibited information, and shall not exceed an aggregate amount
17 of \$5,000 [-]; provided that any violation of this section by a
18 noncandidate committee, if assessed by the commission, shall be
19 not less than \$150 for each advertisement that lacks the
20 information required by the section or provides prohibited
21 information, and shall not exceed twenty-five per cent of the



1 total expenditure for the advertisement lacking the proper
2 disclaimer."

3 SECTION 3. Section 11-393, Hawaii Revised Statutes, is
4 amended by amending subsection (d) to read as follows:

5 "(d) Any noncandidate committee that violates this section
6 shall be subject to a minimum fine [~~under section 11-410.~~] of
7 \$1,000 per violation, not to exceed twenty-five per cent of the
8 total expenditure for the advertisement lacking the proper
9 disclaimer."

10 SECTION 4. Statutory material to be repealed is bracketed
11 and stricken. New statutory material is underscored.

12 SECTION 5. This Act shall take effect on July 1, 2023.

13

INTRODUCED BY: Karl Abroad



S.B. NO. 51

Report Title:

Campaign Finance; Advertisements; Noncandidate Committees;
Violations; Fines

Description:

Increases the amount of fines that may be assessed against a noncandidate committee for violations of organizational report requirements. Increases the amount of fines that may be assessed against noncandidate committees for violations of advertisement disclosure requirements. Increases the fines for advertisements paid by noncandidate committees making only independent expenditures.

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

