

JAN 25 2023

A BILL FOR AN ACT

RELATING TO CAMPAIGN CONTRIBUTIONS.

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

1 SECTION 1. Section 11-355, Hawaii Revised Statutes, is
2 amended to read as follows:
3 " ~~§11-355~~ Contributions by state and county
4 contractors, subcontractors, contract bidders, applicants for
5 and recipients of grants and subsidies, and their family members
6 prohibited. (a) It shall be unlawful for any person who enters
7 into any contract with the State, any of the counties, or any
8 department or agency thereof, or any person who is subcontracted
9 under that contract, either for the rendition of personal
10 services, the buying of property, or furnishing of any material,
11 supplies, or equipment to the State, any of the counties, any
12 department or agency thereof, or for selling any land or
13 building to the State, any of the counties, or any department or
14 agency thereof, if payment for the performance of the contract
15 or payment for material, supplies, equipment, land, property, or
16 building is to be made in whole or in part from funds
17 appropriated by the legislative body, at any time between the



1 execution of the contract through the completion of the
2 contract, to:

- 3 (1) Directly or indirectly make any contribution, or
4 promise expressly or impliedly to make any
5 contribution to any candidate committee or
6 noncandidate committee, or to any candidate or to any
7 person for any political purpose or use; or
- 8 (2) Knowingly solicit any contribution from any person for
9 any purpose during any period.

10 (b) It shall be unlawful, from the time a solicitation is
11 issued under section 103D-302, 103D-304, 103D-305, 103D-306, or
12 103D-307 until a contract is entered into, for a person who
13 submits an offer for a solicitation to:

- 14 (1) Directly or indirectly make any contribution or to
15 promise expressly or impliedly to make any
16 contribution to any political party, committee, or
17 candidate or to any person for any political purpose
18 or use; or
- 19 (2) Knowingly solicit any contribution from any person for
20 any purpose during any period.



1 (c) It shall be unlawful for any applicant for or
2 recipient of any grant or subsidy administered under chapter
3 42F, at any time between the submission of the grant or subsidy
4 application through the completion or expiration of the grant or
5 subsidy award, to:

6 (1) Directly or indirectly make any contribution to or
7 promise expressly or impliedly to make any
8 contribution to any political party, committee, or
9 candidate or to any person for any political purpose
10 or use; or

11 (2) Knowingly solicit any contribution from any person for
12 any purpose during any period.

13 (d) It shall be unlawful for any immediate family member
14 of a contractor, subcontractor, contract bidder, or applicant
15 for or recipient of a grant or subsidy administered under
16 chapter 42F to:

17 (1) Directly or indirectly make any contribution or to
18 promise expressly or impliedly to make any
19 contribution to any political party, committee, or
20 candidate or to any person for any political purpose
21 or use; or



1 (2) Knowingly solicit any contribution from any person for
2 any purpose during any period.

3 [~~(b)~~] (e) Except as provided in [~~subsection~~] subsections
4 (a), (b), (c), and (d), this section does not prohibit or make
5 unlawful the establishment or administration of, or the
6 solicitation of contributions to, any noncandidate committee by
7 any person other than the state or county contractor,
8 subcontractor, contract bidder, applicant for or recipient of
9 grants and subsidies administered under chapter 42F, or their
10 family member for the purpose of influencing the nomination for
11 election, or the election of any person to office.

12 [~~(e)~~] (f) For purposes of this section[~~,"completion"]:~~
13 "Applicant", "recipient", and "person" include members of
14 boards of directors and officers of an entity making or
15 soliciting a campaign contribution, or any lobbyist acting on
16 their behalf.

17 "Completion of the contract" means that the parties to the
18 government contract have either terminated the contract prior to
19 completion of performance or fully performed the duties and
20 obligations under the contract, no disputes relating to the



1 performance and payment remain under the contract, and all
2 disputed claims have been adjudicated and are final."

3 SECTION 2. 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 3. Statutory material to be repealed is bracketed
7 and stricken. New statutory material is underscored.

8 SECTION 4. This Act shall take effect upon its approval.

9

INTRODUCED BY: 



S.B. NO. 1188

Report Title:

Campaign Contributions; State Contracts

Description:

Prohibits persons soliciting a state contract, or applicants for or recipients of state grants or subsidies awarded under chapter 42F and their family members from making campaign contributions. Includes subcontractors to a state contract in the prohibition of campaign contributions to a political party, committee, or candidate.

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