
A BILL FOR AN ACT

RELATING TO CAMPAIGN SPENDING.

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

- 1 SECTION 1. Section 11-323, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:
- 3 "(a) The noncandidate committee organizational report
4 shall include:
- 5 (1) The committee's name, which shall incorporate the full
6 name of the sponsoring entity, if any. An acronym or
7 abbreviation may be used in other communications if
8 the acronym or abbreviation is commonly known or
9 clearly recognized by the general public. The
10 committee's name shall not include the name of a
11 candidate;
- 12 (2) The committee's address, including web page address,
13 if any;
- 14 (3) The area, scope, or jurisdiction of the committee;
- 15 (4) The name and address of the committee's sponsoring
16 entity. If the committee does not have a sponsoring
17 entity, the committee shall specify the trade,



- 1 profession, or primary interest of contributors to the
2 committee;
- 3 (5) The name, address, telephone number, occupation, and
4 principal place of business of the chairperson;
- 5 (6) The name, address, telephone number, occupation, and
6 principal place of business of the treasurer and any
7 other officers;
- 8 (7) An indication as to whether the committee was formed
9 to support or oppose a specific ballot question or
10 candidate and, if so, a brief description of the
11 question or the name of the candidate;
- 12 (8) An indication as to whether the committee is a
13 political party committee;
- 14 (9) The name, address, telephone number, occupation, and
15 principal place of business of the custodian of the
16 books and accounts;
- 17 (10) The name and address of the depository institution in
18 which the committee will maintain its campaign account
19 and each applicable account number;
- 20 (11) A certification by the chairperson and treasurer of
21 the statements in the organizational report; and



1 (12) The name, address, employer, and occupation of each
2 contributor who contributed an aggregate amount of
3 more than \$100 to the noncandidate committee since the
4 last election and the amount and date of deposit of
5 each such contribution[-]; provided that, for
6 noncandidate committees making only independent
7 expenditures, if a contribution of more than \$10,000
8 in the aggregate in an election period is received
9 from an entity other than an individual, for-profit
10 business entity, or labor union, then the report shall
11 include:

12 (A) The internet address where the contributing
13 entity's disclosure report can be publicly
14 accessed, if the contributing entity is subject
15 to any state or federal disclosure reporting
16 requirements regarding the source of the
17 contributing entity's funds;

18 (B) The name, address, occupation, and employer of
19 each funding source of \$100 or more in the
20 aggregate in an election period to that
21 contributing entity; or



1 (C) An acknowledgment that the contributing entity is
2 not subject to any state or federal disclosure
3 reporting requirements regarding the source of
4 the contributing entity's funds."

5 SECTION 2. Section 11-335, Hawaii Revised Statutes, is
6 amended by amending subsection (b) to read as follows:

7 "(b) Schedules filed with the reports shall include the
8 following additional information:

9 (1) The amount and date of deposit of each contribution
10 received and the name, address, occupation, and
11 employer of each contributor making a contribution
12 aggregating more than \$100 during an election period,
13 which was not previously reported; provided that if
14 [~~all~~]:

15 (A) All the information is not on file, the
16 contribution shall be returned to the contributor
17 within thirty days of deposit; and

18 (B) A noncandidate committee making only independent
19 expenditures receives a contribution of more than
20 \$10,000 in the aggregate in an election period
21 from an entity other than an individual, for-



1 profit business entity, or labor union, then the
2 schedule shall include:

3 (i) The internet address where the contributing
4 entity's disclosure report can be publicly
5 accessed, if the contributing entity is
6 subject to state or federal disclosure
7 reporting requirements regarding the source
8 of the contributing entity's funds;

9 (ii) The name, address, occupation, and employer
10 of each funding source that contributed \$100
11 or more in the aggregate in an election
12 period to that contributing entity; or

13 (iii) An acknowledgment that the contributing
14 entity is not subject to any state or
15 federal disclosure reporting requirements
16 regarding the source of the contributing
17 entity's funds;

18 (2) The amount and date of each contribution made and the
19 name and address of the candidate, candidate
20 committee, or noncandidate committee to which the
21 contribution was made;

- 1 (3) All expenditures, including the name and address of
2 each payee and the amount, date, and purpose of each
3 expenditure; provided that:
- 4 (A) Expenditures for advertisements or electioneering
5 communications shall include the names of the
6 candidates supported, opposed, or clearly
7 identified;
- 8 (B) Expenditures for consultants, advertising
9 agencies and similar firms, credit card payments,
10 salaries, and candidate reimbursements shall be
11 itemized to permit a reasonable person to
12 determine the ultimate intended recipient of the
13 expenditure and its purpose;
- 14 (C) Independent expenditures shall include the name
15 of any candidate supported, opposed, or clearly
16 identified; and
- 17 ~~[+]~~ (D) ~~[+]~~ The purpose of an independent expenditure shall
18 include the name of the candidate who is
19 supported or opposed by the expenditure, and
20 whether the expenditure supports or opposes the
21 candidate;



1 (4) For noncandidate committees making only independent
2 expenditures, certification that no expenditures have
3 been coordinated with a candidate, candidate
4 committee, or any agent of a candidate or candidate
5 committee;

6 (5) The amount, date of deposit, and description of other
7 receipts and the name and address of the source of
8 each of the other receipts;

9 (6) A description of each durable asset, the date of
10 acquisition, value at the time of acquisition, and the
11 name and address of the vendor or contributor of the
12 asset; and

13 (7) The date of disposition of a durable asset, value at
14 the time of disposition, method of disposition, and
15 name and address of the person receiving the asset."

16 SECTION 3. Section 11-338, Hawaii Revised Statutes, is
17 amended by amending subsection (b) to read as follows:

18 "(b) The late contribution report shall include the
19 following information:

20 (1) Name, address, occupation, and employer of the
21 contributor;



1 (2) Name of the candidate, candidate committee, or
2 noncandidate committee making or receiving the
3 contribution; provided that, for noncandidate
4 committees making only independent expenditures, if a
5 late contribution greater than \$5,000 in the aggregate
6 is received from an entity other than an individual,
7 for-profit business entity, or labor union, then the
8 report shall include:
9 (A) The internet address where the contributing
10 entity's disclosure report can be publicly
11 accessed, if the contributing entity is subject
12 to any state or federal disclosure reporting
13 requirements regarding the source of the
14 contributing entity's funds;
15 (B) The name, address, occupation, and employer of
16 each funding source of more than \$100 in the
17 aggregate to that contributing entity; or
18 (C) An acknowledgment that the contributing entity is
19 not subject to any state or federal disclosure
20 reporting requirements regarding the source of
21 the contributing entity's funds;

- 1 (3) The amount of the contribution received;
- 2 (4) The amount of the contribution made;
- 3 (5) The contributor's aggregate contributions to the
- 4 candidate, candidate committee, or noncandidate
- 5 committee; and
- 6 (6) The purpose, if any, to which the contribution will be
- 7 applied, including, for contributions to a
- 8 noncandidate committee, the name of any candidate
- 9 supported, opposed, or clearly identified."

10 SECTION 4. This Act does not affect rights and duties that
11 matured, penalties that were incurred, and proceedings that were
12 begun before its effective date.

13 SECTION 5. Statutory material to be repealed is bracketed
14 and stricken. New statutory material is underscored.

15 SECTION 6. This Act shall take effect on January 1, 2016.



Report Title:

Campaign Spending; Noncandidate Committees

Description:

Strengthens reporting requirements for organizational reports, noncandidate reports, and late contributions reports submitted by noncandidate committees making or receiving large contributions. (HB1491 CD1)

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

