

---

---

# A BILL FOR AN ACT

RELATING TO CAMPAIGN FINANCE.

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

1           SECTION 1. Section 11-381, Hawaii Revised Statutes, is  
2 amended by amending subsection (a) to read as follows:

3           "(a) Campaign funds may be used by a candidate, treasurer,  
4 or candidate committee:

5           (1) For any purpose directly related:

6           (A) In the case of the candidate, to the candidate's  
7           own campaign; or

8           (B) In the case of a candidate committee or treasurer  
9           of a candidate committee, to the campaign of the  
10           candidate, question, or issue with which they are  
11           directly associated;

12           (2) To purchase or lease consumer goods, vehicles,  
13           equipment, and services that provide a mixed benefit  
14           to the candidate. The candidate, however, shall  
15           reimburse the candidate's candidate committee for the  
16           candidate's personal use of these items unless the  
17           personal use is de minimis;



- 1           (3) To make donations to any community service,  
2           educational, youth, recreational, charitable,  
3           scientific, or literary organization; provided that in  
4           any election period, the total amount of all donations  
5           shall be no more than twice the maximum amount that  
6           one person may contribute to that candidate pursuant  
7           to section 11-357; provided further that no  
8           ~~[contributions]~~ donations shall be made from the date  
9           the candidate files nomination papers to the date of  
10          the general election[+] unless the candidate is:  
11          (A) Declared to be duly and legally elected to the  
12             office for which the person is a candidate  
13             pursuant to section 12-41;  
14          (B) Deemed and declared to be duly and legally  
15             elected to the office for which the person is a  
16             candidate pursuant to section 12-42; or  
17          (C) Unsuccessful in the primary or special primary  
18             election;  
19          (4) To make donations to any public school or public  
20          library; provided that in any election period, the  
21          total amount of all ~~[contributions]~~ donations shall be



1 no more than twice the maximum amount that one person  
2 may contribute to that candidate pursuant to section  
3 11-357; provided further that any donation under this  
4 paragraph shall not be aggregated with or imputed  
5 toward any limitation on donations pursuant to  
6 paragraph (3);

7 (5) To award scholarships to full-time students attending  
8 an institution of higher education or a vocational  
9 education school in a program leading to a degree,  
10 certificate, or other recognized educational  
11 credential; provided that in any election period, the  
12 total amount of all scholarships awarded shall be no  
13 more than twice the maximum amount that one person may  
14 contribute to that candidate pursuant to section 11-  
15 357; provided further that no awards shall be made  
16 from the filing deadline for nomination papers to the  
17 date of the general election[+] unless the candidate  
18 is:

19 (A) Declared to be duly and legally elected to the  
20 office for which the person is a candidate  
21 pursuant to section 12-41;



1           (B) Deemed and declared to be duly and legally  
2           elected to the office for which the person is a  
3           candidate pursuant to section 12-42; or

4           (C) Unsuccessful in the primary or special primary  
5           election;

6           (6) To purchase not more than two tickets for each event  
7           held by another candidate or committee, regardless of  
8           whether [~~or not~~] the event constitutes a fundraiser as  
9           defined in section 11-342;

10          (7) To make contributions to the candidate's party so long  
11          as the contributions are not earmarked for another  
12          candidate; or

13          (8) To pay for ordinary and necessary expenses incurred in  
14          connection with the candidate's duties as a holder of  
15          an office, including expenses incurred for memberships  
16          in civic or community groups."

17          SECTION 2. Statutory material to be repealed is bracketed  
18 and stricken. New statutory material is underscored.

19          SECTION 3. This Act shall take effect on July 1, 2019.



**Report Title:**

Elections; Campaign Finance; Restrictions on Use of Campaign Funds

**Description:**

Exempts candidates who are deemed elected, running unopposed, or unsuccessful after a primary or special primary election from the prohibition on donating excess campaign funds for charitable or scholarship purposes before the general election date.

(HB366 HD1)

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

