

STAND. COM. REP. NO. 3726

Honolulu, Hawaii

JUN 30 2020

RE: H.B. No. 1706  
H.D. 1  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirtieth State Legislature  
Regular Session of 2020  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1706, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CAMPAIGN CONTRIBUTIONS,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Provide that excess contributions by nonresident contributors shall escheat to the Hawaii Election Campaign Fund if not returned to the contributor within thirty days;
- (2) Amend the allowable uses of campaign funds to include lease vehicles for the duration of a campaign or the purchase or lease of consumer goods, equipment, and services that provide a mixed benefit to the candidate;
- (3) Increase the total amount of campaign funds allowed to be used for donations to any community service, educational, youth, recreational, charitable, scientific, or literary organization and total amount to be used for scholarships to four times the maximum amount that one person may contribute to that candidate; and



- (4) Temporarily allow a candidate who is elected to office to use campaign funds or return funds to contributors until two years following the end of the candidate's term for which the campaign funds were received.

Your Committee received testimony in support of this measure from Common Cause Hawaii and five individuals. Your Committee received comments on this measure from the Campaign Spending Commission and League of Women Voters.

Your Committee finds that under existing law, excess campaign contributions not returned to the contributor within thirty days escheat to the Hawaii Election Campaign Fund; however, contributions from out-of-state contributors are not included in this statutory provision. This measure provides that excess contributions by nonresident contributors shall be returned to a nonresident contributor of the candidate's, candidate committee's, or noncandidate's choosing within thirty days or shall escheat to the Hawaii election campaign fund.

Your Committee has amended this measure by:

- (1) Deleting language that would have:
  - (A) Amended the allowable uses of campaign funds to include lease vehicles for the duration of a campaign or the purchase or lease of consumer goods, equipment, and services that provide a mixed benefit to the candidate;
  - (B) Increased the total amount of campaign funds allowed to be used for donations to any community service, educational, youth, recreational, charitable, scientific, or literary organization and total amount to be used for scholarships to four times the maximum amount that one person may contribute to that candidate; and
  - (C) Temporarily allowed a candidate who is elected to office to use campaign funds or return funds to contributors until two years following the end of the candidate's term for which the campaign funds were received;



- (2) Specifying that any candidate or candidate committee that receives excess nonresident contributions, as determined by the Campaign Spending Commission after the final election period report has been submitted, shall return any excess contribution to one or more nonresident contributors of their choosing within thirty days or else the excess contribution shall escheat to the Hawaii Election Campaign Fund;
- (3) Inserting an effective date of November 4, 2020;
- (4) Amending section 1 to reflect its amended purpose; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1706, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1706, H.D. 1, S.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary,

*Karl Rhoads*

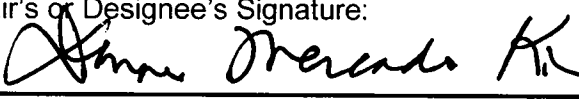
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KARL RHOADS, Chair



The Senate  
Thirtieth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Judiciary**  
**JDC**

Bill / Resolution No.:* <b>HB 1706 HD1</b>	Committee Referral: <b>JDC</b>	Date: <b>06-23-2020</b>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	/			
KEOHOKALOLE, Jarrett (VC)				/
GABBARD, Mike	/			
KIM, Donna Mercado	/			
FEVELLA, Kurt	/			
<b>TOTAL</b>	<b>4</b>			<b>1</b> /
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b> Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy				

\*Only one measure per Record of Votes