
A BILL FOR AN ACT

RELATING TO CAMPAIGN CONTRIBUTIONS.

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

1 SECTION 1. The legislature finds that when leaving office
2 candidates have frequently used excess campaign funds to sponsor
3 scholarships for students, make donations to charitable
4 organizations, and support local schools and libraries.

5 However, current law limits the amount of time a candidate
6 leaving office may contribute toward scholarships or other
7 charitable causes. This limitation can unintentionally cut off
8 financial support for some students at four-year programs, among
9 other consequences.

10 The legislature further finds that current law also allows
11 candidates to use campaign funds to purchase vehicles for
12 personal use, which may be excessive for Hawaii elections.

13 The purpose of this Act is to temporarily extend the
14 ability of candidates leaving office to contribute to good
15 causes, and permanently limit campaign expenditures for vehicles
16 to those vehicles which can be leased for the duration of a
17 campaign, but not purchased for personal use. Finally, this Act



1 provides that excess contributions by nonresident contributors
2 shall escheat to the Hawaii election campaign fund if not
3 returned to the contributor within thirty days.

4 SECTION 2. Section 11-364, Hawaii Revised Statutes, is
5 amended by amending subsection (a) to read as follows:

6 "(a) Any candidate, candidate committee, or noncandidate
7 committee that receives in the aggregate more than the
8 applicable contribution limit in section 11-357, 11-358, 11-359,
9 [~~or~~] 11-360, or 11-362 shall return any excess contribution to
10 the contributor within thirty days of receipt of the excess
11 contribution. Any excess contribution not returned to the
12 contributor within thirty days shall escheat to the Hawaii
13 election campaign fund."

14 SECTION 3. Section 11-381, Hawaii Revised Statutes, is
15 amended by amending subsection (a) to read as follows:

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

18 (1) For any purpose directly related:

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



1 (B) In the case of a candidate committee or treasurer
2 of a candidate committee, to the campaign of the
3 candidate, question, or issue with which they are
4 directly associated;

5 (2) To [~~purchase~~] lease vehicles for the duration of a
6 campaign or purchase or lease consumer goods,
7 [~~vehicles,~~] equipment, and services that provide a
8 mixed benefit to the candidate. The candidate,
9 however, shall reimburse the candidate's candidate
10 committee for the candidate's personal use of these
11 items unless the personal use is de minimis;

12 (3) To make donations to any community service,
13 educational, youth, recreational, charitable,
14 scientific, or literary organization; provided that in
15 any election period, the total amount of all donations
16 shall be no more than [~~twice~~] four times the maximum
17 amount that one person may contribute to that
18 candidate pursuant to section 11-357; provided further
19 that no donations shall be made from the date the
20 candidate files nomination papers to the date of the
21 general election unless the candidate is:



- 1 (A) Declared to be duly and legally elected to the
2 office for which the person is a candidate
3 pursuant to section 12-41;
- 4 (B) Deemed and declared to be duly and legally
5 elected to the office for which the person is a
6 candidate pursuant to section 12-42; or
- 7 (C) Unsuccessful in the primary or special primary
8 election;
- 9 (4) To make donations to any public school or public
10 library; provided that in any election period, the
11 total amount of all contributions shall be no more
12 than [~~twice~~] four times the maximum amount that one
13 person may contribute to that candidate pursuant to
14 section 11-357; provided further that any donation
15 under this paragraph shall not be aggregated with or
16 imputed toward any limitation on donations pursuant to
17 paragraph (3);
- 18 (5) To award scholarships to full-time students attending
19 an institution of higher education or a vocational
20 education school in a program leading to a degree,
21 certificate, or other recognized educational



1 credential; provided that in any election period, the
2 total amount of all scholarships awarded shall be no
3 more than [~~twice~~] four times the maximum amount that
4 one person may contribute to that candidate pursuant
5 to section 11-357; provided further that no awards
6 shall be made from the filing deadline for nomination
7 papers to the date of the general election unless the
8 candidate is:

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

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

15 (C) Unsuccessful in the primary or special primary
16 election;

17 (6) To purchase not more than two tickets for each event
18 held by another candidate or committee, regardless of
19 whether the event constitutes a fundraiser as defined
20 in section 11-342;



1 (7) To make contributions to the candidate's party so long
2 as the contributions are not earmarked for another
3 candidate; or

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

8 SECTION 4. Section 11-384, Hawaii Revised Statutes, is
9 amended by amending subsection (c) to read as follows:

10 "(c) A candidate who is elected to office, including a
11 candidate subject to term limits and a candidate who resigned
12 before the end of the term of office and the candidate committee
13 of such a candidate, may use campaign funds as provided in
14 section 11-381 or return funds to contributors until [~~four~~] two
15 years [~~from~~] following the [~~date of the election~~] end of the
16 candidate's term for which the campaign funds were received.
17 Funds that are not used or returned to contributors shall
18 escheat to the Hawaii election campaign fund."

19 SECTION 5. Statutory material to be repealed is bracketed
20 and stricken. New statutory material is underscored.



1 SECTION 6. This Act shall take effect on July 1, 2050;
2 provided that on November 5, 2024, section 4 of this Act shall
3 be repealed and section 11-384(c), Hawaii Revised Statutes,
4 shall be reenacted in the form in which it read on the day
5 before the effective date of this Act.



Report Title:

Campaign Spending Commission Package; Contribution Limits;
Nonresidents; Return of Contribution; Campaign Funds

Description:

Provides that excess contributions by nonresident contributors shall escheat to the Hawaii election campaign fund if not returned to the contributor within 30 days. Amends the allowable uses of campaign funds. Amends the time for a candidate who is elected to office to use campaign funds or return the funds. Sunsets 11/5/2024. Effective 7/1/2050.
(HD1)

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

