

STAND. COM. REP. NO. 746

Honolulu, Hawaii

MAR 04 2021

RE: S.B. No. 404

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 404 entitled:

"A BILL FOR AN ACT RELATING TO ELECTIONEERING COMMUNICATIONS,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Increase the monetary threshold that requires disclosure of electioneering communications;
- (2) Require that disclosures of electioneering communications occur on the date the electioneering communications are publicly distributed; and
- (3) Classify election advertisements sent by mail at any postal rate, and election advertisements that are expenditures of an organization, as electioneering communications.

Your Committee received testimony in support of this measure from the Campaign Spending Commission and Common Cause Hawaii.

Your Committee finds that the contracts for campaign advertisements can occur weeks or months before the advertisements are publicly distributed. Your Committee further finds that changing the disclosure date to the date on which the



advertisement runs and triggering the requirement to file a statement of information at that time will increase public transparency and accountability in campaign advertising. Your Committee additionally finds that increasing the threshold amount for filing a statement of information from \$2,000 to \$5,000 will reduce the burden on smaller candidate committees that generally engage in less advertising.

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 S.B. No. 404 and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

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



KARL RHOADS, Chair



