

STAND. COM. REP. NO.

3030

Honolulu, Hawaii

FEB 28 2020

RE: S.B. No. 2149
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 S.B.
No. 2149 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) Amend the definition of "disclosure date" to mean the date on which an electioneering communication is publicly distributed and the person making the electioneering communication has expended more than \$2,000 on electioneering communications in the aggregate; and
- (2) Expand the definition of "electioneering communication" to apply to advertisements sent by any mail rate and communications regarding expenditures of the organization.

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



Your Committee finds that the democratic election process benefits from transparency in campaign advertising. Your Committee further finds that well-funded political action committees are capable of influencing elections to a significant degree. This measure will increase transparency and provide clarification to campaign advertising laws.

Your Committee further finds that in light of the additional disclosure dates of April 30 and October 1 in election years, as required by the enactment of Act 241, Session Laws of Hawaii 2019, the reporting requirements for electioneering communications for candidate committees can be safely removed.

Your Committee has amended this measure by:

- (1) Applying the electioneering communication section only to noncandidate committees; and
- (2) 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 S.B. No. 2149, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2149, 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, Chair



The Senate
Thirtieth Legislature
State of Hawai'i

**Record of Votes
Committee on Judiciary
JDC**

Bill / Resolution No.:* SB 2149	Committee Referral: JDC	Date: 2/20/2020		
<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				/
TOTAL	3			2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes