

JAN 18 2024

A BILL FOR AN ACT

RELATING TO PARTIAL PUBLIC FINANCING OF ELECTIONS.

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

1 SECTION 1. The amounts available to candidates in Hawaii's
2 partial public financing program were last amended in 1995. The
3 legislature finds that since 1995-1996, the value of the dollar
4 has risen to approximately \$1.92.

5 The purpose of this Act is to increase the amount of funds
6 available to candidates qualified to participate in the partial
7 public financing program. This Act increases the amount of
8 funds available to candidates for the board of trustees for the
9 office of Hawaiian affairs, who run state-wide. This Act
10 increases matching fund payments from \$1 for each \$1 of
11 qualifying contributions in excess of the minimum qualifying
12 contribution amounts to \$2 for each \$1 of excess qualifying
13 contributions. Finally, this Act appropriates funds from the
14 general revenues of the State to increase the amount of funds
15 available in the partial public financing program and to permit
16 the campaign spending commission to hire more staff to address



1 the anticipated increase in participation in the financing
2 program.

3 SECTION 2. Section 11-425, Hawaii Revised Statutes, is
4 amended to read as follows:

5 "**§11-425 Maximum amount of public funds available to**
6 **candidate.** (a) The maximum amount of public funds available in
7 each election to a candidate for the office of governor,
8 lieutenant governor, or mayor of the city and county of Honolulu
9 or the county of Hawaii shall not exceed [~~ten~~] fifteen per cent
10 of the expenditure limit established in section 11-423(d) for
11 each election.

12 (b) The maximum amount of public funds available in each
13 election to a candidate for the office of state senator, state
14 representative, mayor of the county of Kauai or the county of
15 Maui, county council member, and prosecuting attorney shall not
16 exceed [~~fifteen~~] 22.5 per cent of the expenditure limit
17 established in section 11-423(d) for each election.

18 (c) For the office of Hawaiian affairs, the maximum amount
19 of public funds available to a candidate shall not exceed
20 [~~\$1,500 in any election year.~~]



1 ~~(d) For all other offices, the maximum amount of public~~
2 ~~funds available to a candidate shall not exceed \$100 in any~~
3 ~~election year.] ten per cent of the expenditure limit~~
4 ~~established in section 11-423(d) for each election.~~

5 [-e)] (d) Each candidate who qualified for the maximum
6 amount of public funding in any primary election and who is a
7 candidate for a subsequent general election shall apply with the
8 commission to be qualified to receive the maximum amount of
9 public funds as provided in this section for the respective
10 general election. For purposes of this section, "qualified"
11 means meeting the qualifying campaign contribution requirements
12 of section 11-429."

13 SECTION 3. Section 11-429, Hawaii Revised Statutes, is
14 amended by amending subsections (a) and (b) to read as follows:

15 "(a) As a condition of receiving public funds for a
16 primary or general election, a candidate shall not be unopposed
17 in any election for which public funds are sought, shall have
18 filed an affidavit with the commission pursuant to
19 section 11-423 to voluntarily limit the candidate's campaign
20 expenditures, and shall be in receipt of the following sum of
21 qualifying contributions from individual residents of Hawaii:



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- 1 (1) For the office of governor--qualifying contributions
- 2 that in the aggregate exceed \$100,000;
- 3 (2) For the office of lieutenant governor--qualifying
- 4 contributions that in the aggregate exceed \$50,000;
- 5 (3) For the office of mayor for each respective county:
- 6 (A) County of Honolulu--qualifying contributions that
- 7 in the aggregate exceed \$50,000;
- 8 (B) County of Hawaii--qualifying contributions that
- 9 in the aggregate exceed \$15,000;
- 10 (C) County of Maui--qualifying contributions that in
- 11 the aggregate exceed \$10,000; and
- 12 (D) County of Kauai--qualifying contributions that in
- 13 the aggregate exceed \$5,000;
- 14 (4) For the office of prosecuting attorney for each
- 15 respective county:
- 16 (A) County of Honolulu--qualifying contributions that
- 17 in the aggregate exceed [~~\$30,000~~] \$25,000;
- 18 (B) County of Hawaii--qualifying contributions that
- 19 in the aggregate exceed [~~\$10,000~~] \$5,000; and
- 20 (C) County of Kauai--qualifying contributions that in
- 21 the aggregate exceed [~~\$5,000~~] \$3,000;



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- 1 (5) For the office of county council--for each respective
2 county:
- 3 (A) County of Honolulu--qualifying contributions that
4 in the aggregate exceed \$5,000;
- 5 (B) County of Hawaii--qualifying contributions that
6 in the aggregate exceed \$1,500;
- 7 (C) County of Maui--qualifying contributions that in
8 the aggregate exceed [~~\$5,000;~~] \$4,000; and
- 9 (D) County of Kauai--qualifying contributions that in
10 the aggregate exceed \$3,000;
- 11 (6) For the office of state senator--qualifying
12 contributions that, in the aggregate exceed \$2,500;
- 13 (7) For the office of state representative--qualifying
14 contributions that, in the aggregate, exceed \$1,500;
- 15 (8) For the office of Hawaiian affairs--qualifying
16 contributions that, in the aggregate, exceed [~~\$1,500;~~]
17 \$5,000; and
- 18 (9) For all other offices, qualifying contributions that,
19 in the aggregate, exceed \$500.



1 (b) A candidate shall obtain the minimum qualifying
2 contribution amount set forth in subsection (a) once for the
3 election period.

4 (1) If the candidate obtains the minimum qualifying
5 contribution amount, the candidate is eligible to
6 receive:

7 (A) The minimum payment in an amount equal to the
8 minimum qualifying contribution amounts; and

9 (B) Payments of [~~\$1~~] \$2 for each \$1 of qualifying
10 contributions in excess of the minimum qualifying
11 contribution amounts; and

12 (2) A candidate shall have at least one other qualified
13 candidate as an opponent for the primary or general
14 election to receive public funds for that election."

15 SECTION 4. In accordance with section 9 of article VII, of
16 the Constitution of the State of Hawaii and sections 37-91 and
17 37-93, Hawaii Revised Statutes, the legislature has determined
18 that the appropriations contained in this Act will cause the
19 state general fund expenditure ceiling for fiscal year 2024-2025
20 to be exceeded by \$, or per cent. The reasons
21 for exceeding the general fund expenditure ceiling are that the



1 appropriations made in this Act are necessary to serve the
2 public interest and to meet the needs provided for by this Act.

3 SECTION 5. There is appropriated out of the general
4 revenues of the State of Hawaii the sum of \$ or so
5 much thereof as may be necessary for fiscal year 2024-2025 to be
6 deposited into the Hawaii election campaign fund.

7 The sum appropriated shall be expended by the campaign
8 spending commission for the purposes of this Act.

9 SECTION 6. There is appropriated out of the general
10 revenues of the State of Hawaii the sum of \$200,000 or so much
11 thereof as may be necessary for fiscal year 2024-2025 for two
12 full-time equivalent (2.0 FTE) permanent positions to be placed
13 within the campaign spending commission.

14 The sum appropriated shall be expended by the campaign
15 spending commission for the purposes of this Act.

16 SECTION 7. This Act does not affect rights and duties that
17 matured, penalties that were incurred, and proceedings that were
18 begun before its effective date.

19 SECTION 8. Statutory material to be repealed is bracketed
20 and stricken. New statutory material is underscored.

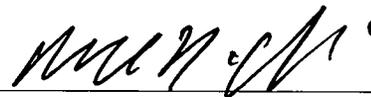


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1 SECTION 9. This Act shall take effect on July 1, 2024.

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INTRODUCED BY:



By Request



S.B. NO. 2210

Report Title:

Campaign Spending Commission Package; Partial Public Financing; OHA; Maximum Amount of Public Funds Available; Minimum Qualifying Contribution Amounts; Expenditure Ceiling

Description:

Increases the amount of partial public campaign financing available for all state and county elective offices. Amends section 11-425, Hawaii Revised Statutes (HRS), by increasing the maximum amount of public funds available for all offices by 50%. Increases the maximum amount of public funds available for a candidate for the Office of Hawaiian Affairs from \$1,500 to 10% of the expenditure limit established in section 11-423(d), HRS, for each election. Amends section 11-429(a), HRS, by increasing the amounts of qualifying contributions for the Office of Hawaiian Affairs from more than \$1,500 in the aggregate to more than \$5,000 in the aggregate. Provides a downward adjustment of the amounts of qualifying contributions for the office of prosecuting attorney for the City and County of Honolulu, County of Hawaii, and County of Kauai and for the office of county council member for the County of Maui. Provides for an unspecified appropriation to pay for the increase in the partial public financing program. Provides for an appropriation in the amount of \$200,000 for the Commission to hire two additional staff members. Declares that general fund expenditure ceiling will be exceeded.

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