
A BILL FOR AN ACT

RELATING TO CAMPAIGN FINANCE.

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

1 SECTION 1. The legislature finds that new forms of
2 communications technology and campaign techniques are now being
3 utilized by third parties to influence the outcome of elections.
4 These communications using digital means, the Internet, or
5 online social media platforms to reach voters are not subject to
6 the same legal standard of transparency that is used to ensure
7 fair elections regarding traditional forms of campaigning. The
8 legislature further finds that the growing ubiquity of these
9 forms of media and their reach compounds the need to address
10 their influence on our election process. Common-sense steps
11 must be taken to ensure transparency in elections and confidence
12 in the democratic process.

13 The purpose of this Act is to clarify that campaign
14 advertisements broadcast, televised, circulated, published,
15 distributed, or otherwise communicated by digital means, or
16 through the Internet or online social media, are subject to
17 campaign finance disclosure requirements.



1 SECTION 2. Section 11-391, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:

3 "(a) Any advertisement that is broadcast, televised,
4 circulated, published, distributed, or otherwise communicated,
5 including by electronic or digital means~~[7]~~ or through the
6 Internet or online social media, shall:

7 (1) Contain the name and address of the candidate,
8 candidate committee, noncandidate committee, or other
9 person paying for the advertisement;

10 (2) Contain a notice in a prominent location stating
11 either that:

12 (A) The advertisement has the approval and authority
13 of the candidate; provided that an advertisement
14 paid for by a candidate, candidate committee, or
15 ballot issue committee does not need to include
16 the notice; or

17 (B) The advertisement has not been approved by the
18 candidate; and

19 (3) Not contain false information about the time, date,
20 place, or means of voting."



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1 SECTION 3. This Act does not affect rights and duties that
 2 matured, penalties that were incurred, and proceedings that were
 3 begun before its effective date.

4 SECTION 4. Statutory material to be repealed is bracketed
 5 and stricken. New statutory material is underscored.

6 SECTION 5. This Act shall take effect upon its approval.
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H.B. NO. 2247

Report Title:

Elections; Campaign Finance; Advertisements; Internet; Social Media

Description:

Clarifies that certain disclosure requirements for campaign advertisements apply to advertisements communicated by digital means or through the Internet or online social media.

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