
A BILL FOR AN ACT

RELATING TO CAMPAIGN FINANCE.

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

1 SECTION 1. Section 11-423, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "**§11-423 Voluntary expenditure limits; filing affidavit.**

4 (a) Any candidate may voluntarily agree to limit the
5 candidate's expenditures and those of the candidate's candidate
6 committee or committees and the candidate's party on the
7 candidate's behalf by filing an affidavit with the campaign
8 spending commission.

9 (b) The affidavit shall state that the candidate knows the
10 voluntary campaign expenditure limitations as set out in this
11 part and that the candidate is voluntarily agreeing to limit the
12 candidate's expenditures and those made on the candidate's
13 behalf by the amount set by law. The affidavit shall be
14 subscribed to by the candidate and notarized and filed no later
15 than the time of filing nomination papers with the chief
16 election officer or county clerk.



1 (c) The affidavit shall remain effective until the
2 termination of the candidate committee or the opening of filing
3 of nomination papers for the next succeeding election, whichever
4 occurs first. An affidavit filed under this section may not be
5 rescinded.

6 (d) From January 1 of the year of any primary, special, or
7 general election, the aggregate expenditures for each election
8 by a candidate who voluntarily agrees to limit campaign
9 expenditures, inclusive of all expenditures made or authorized
10 by the candidate alone, all treasurers, the candidate committee,
11 and noncandidate committees on the candidate's behalf, shall not
12 exceed the following amounts expressed, respectively multiplied
13 by the number of voters in the last preceding general election
14 registered to vote in each respective voting district:

15 (1) For the office of governor - [~~\$2.50~~] \$2.75;

16 (2) For the office of lieutenant governor - [~~\$1.40~~]
17 \$1.54;

18 (3) For the office of mayor - [~~\$2.00~~] \$2.20;

19 (4) For the offices of state senator, state
20 representative, county council member, and prosecuting
21 attorney - [~~\$1.40~~] \$1.54; and



(5) For all other offices - [20] 22 cents.

(e) Beginning on January 1, 2021, the maximum aggregate expenditure limit for each respective office shall be increased by ten per cent from the previous year's limit and compounded annually starting in 2022 and for each year thereafter."

SECTION 2. Section 235-102.5, Hawaii Revised Statutes, is amended by amending its title and subsection (a) to read as follows:

"§235-102.5 Income check-off authorized~~[-]~~; liability; refund. (a) Any individual whose state income tax liability for any taxable year is [~~\$3~~] \$5 or more may designate [~~\$3~~] \$5 of the liability to be paid over to the Hawaii election campaign fund, any other law to the contrary notwithstanding, when submitting a state income tax return to the department~~[-]~~; provided that any individual having a federal adjusted gross income of \$200,000 or more for the taxable year and whose state income tax liability is \$8 or more may designate that \$8 be paid to the fund. In the case of a joint return [~~of a husband and wife~~] having a state income tax liability of [~~\$6~~] \$10 or more, each [~~spouse~~] taxpayer may designate that [~~\$3~~] \$5 be paid to the fund~~[-]~~; provided that in the case of a joint return having a



1 federal adjusted gross income of \$200,000 or more for the
2 taxable year and having a state income tax liability of \$16 or
3 more, each taxpayer may designate that \$8 be paid to the fund.
4 The director of taxation shall revise the individual state
5 income tax form to allow the designation of contributions to the
6 fund on the face of the tax return and immediately above the
7 signature lines. An explanation shall be included [~~which~~] that
8 clearly states that the check-off does not constitute an
9 additional tax liability. If no designation was made on the
10 original tax return when filed, a designation may be made by the
11 individual on an amended return filed within twenty months and
12 ten days after the due date for the original return for [~~such~~]
13 that taxable year. A designation once made, whether by an
14 original or amended return, may not be revoked."

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

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

20 SECTION 5. This Act shall take effect on July 1, 2050, and
21 shall apply to taxable years beginning after December 31, 2020.



Report Title:

Hawaii Election Campaign Fund; Campaign Finance; Income Tax
Check-off; Contributions

Description:

Increases the maximum amount of public funds available in each election to certain state candidates by 10% annually. Increases the amount of voluntary state income tax check-off contributions that may be designated for the Hawaii election campaign fund beginning on 1/1/2021. Effective 7/1/2050. (SD2)

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