

JAN 23 2020

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, in 1995, major
2 reforms were made to the campaign spending law, bringing about
3 significant and comprehensive reforms for fair election
4 processes. The reforms required candidates to abide by spending
5 limits by making public funding more attractive to qualified
6 candidates and leveled the playing field for newcomers to the
7 political process, while still permitting them, as well as
8 incumbents, to raise the funds necessary to get their messages
9 to the public.

10 The legislature further finds that the expenditure limit
11 amounts have not changed since 1995, and increasing the amounts
12 will provide a more competitive playing field to candidates who
13 voluntarily agree to limit campaign expenditures.

14 Accordingly, the purpose of this Act is to:

15 (1) Increase the maximum amount of public funds available
16 to certain state candidates in each election; and



1 (2) Increase the amount of voluntary state income tax
2 check-off contributions that may be designated for the
3 Hawaii election campaign fund.

4 SECTION 2. Section 11-423, Hawaii Revised Statutes, is
5 amended by amending subsection (d) to read as follows:

6 "(d) From January 1 of the year of any primary, special,
7 or general election, the aggregate expenditures for each
8 election 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]~~ \$1.54;
- 17 (3) For the office of mayor--~~[\$2.00]~~ \$2.20;
- 18 (4) For the offices of state senator, state
19 representative, county council member, and prosecuting
20 attorney--~~[\$1.40]~~ \$1.54; and
- 21 (5) For all other offices--~~[20]~~ 22 cents."

1 SECTION 3. Section 235-102.5, Hawaii Revised Statutes, is
2 amended by amending its title and subsection (a) to read as
3 follows:

4 "§235-102.5 Income check-off authorized~~[-]~~; liability;
5 refund. (a) Any individual whose state income tax liability
6 for any taxable year is [~~\$3~~] \$5 or more may designate [~~\$3~~] \$5 of
7 the liability to be paid over to the Hawaii election campaign
8 fund, any other law to the contrary notwithstanding, when
9 submitting a state income tax return to the department. In the
10 case of a joint return [~~of a husband and wife~~] having a state
11 income tax liability of [~~\$6~~] \$10 or more, each spouse may
12 designate that [~~\$3~~] \$5 be paid to the fund. The director of
13 taxation shall revise the individual state income tax form to
14 allow the designation of contributions to the fund on the face
15 of the tax return and immediately above the signature lines. An
16 explanation shall be included which clearly states that the
17 check-off does not constitute an additional tax liability. If
18 no designation was made on the original tax return when filed, a
19 designation may be made by the individual on an amended return
20 filed within twenty months and ten days after the due date for
21 the original return for such taxable year. A designation once



S.B. NO. 3070

1 made whether by an original or amended return may not be
2 revoked."

3 SECTION 4. This Act does not affect rights and duties that
4 matured, penalties that were incurred, and proceedings that were
5 begun before its effective date.

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

8 SECTION 6. This Act shall take effect upon its approval;
9 provided that section 3 shall apply to taxable years beginning
10 after December 31, 2020.

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INTRODUCED BY:

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...



S.B. NO. 3070

Report Title:

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

Description:

Increases the maximum amount of public funds available to certain state candidates in each election. 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.

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