
A BILL FOR AN ACT

RELATING TO CAMPAIGN ADVERTISEMENTS.

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

1 SECTION 1. Section 11-391, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "**§11-391 Advertisements.** (a) Any advertisement that is
4 broadcast, televised, circulated, published, distributed, or
5 otherwise communicated, including by electronic means, shall[+]
6 contain, in a prominent location:

7 (1) [~~Contain the~~] 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~~] A notice
11 stating 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; provided further that if it is not
17 readily apparent to a reasonable person that the



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1 advertisement is an advertisement, then the
2 notice shall be required; or

3 (B) The advertisement has not been approved by the
4 candidate; and

5 (3) Not contain false information about the time, date,
6 place, or means of voting.

7 (b) Any multiple-page advertisement that is circulated,
8 published, distributed, or otherwise communicated, including by
9 electronic means, shall contain in a prominent location on the
10 first page of the advertisement the information required by
11 subsection (a); provided that if the advertisement is used as
12 the lead article and displayed on the cover page of a state- or
13 county-wide distributed publication, then the notice shall be
14 displayed on the cover page of the publication.

15 ~~(b)~~ (c) The fine for violation of this section, if
16 assessed by the commission, shall not exceed \$25 for each
17 advertisement that lacks the information required by this
18 section or provides prohibited information, and shall not exceed
19 an aggregate amount of \$5,000."

20 SECTION 2. Statutory material to be repealed is bracketed
21 and stricken. New statutory material is underscored.



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1 SECTION 3. This Act shall take effect upon its approval.

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INTRODUCED BY: _____

A handwritten signature in black ink, appearing to be 'D. H. ...', is written over a horizontal line.

JAN 21 2021



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Report Title:

Elections; Campaign Finance; Advertisements; Disclosure

Description:

Requires that the name and address of a candidate, candidate committee, noncandidate committee, or other person paying for a campaign advertisement be displayed in a prominent location. Requires, in the case of any multiple-page advertisement, that the required disclosures be made on the first page of the advertisement or on the cover page of the publication if the advertisement is used as the lead article and displayed on the cover page of a state- or county-wide distributed publication.

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