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

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

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

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



1 (3) Not contain false information about the time, date,
2 place, or means of voting.
3 (b) Any multiple-page advertisement that is circulated,
4 published, distributed, or otherwise communicated, including by
5 electronic means, shall contain in a prominent location on the
6 first page of the advertisement the information required by
7 subsection (a); provided that if the advertisement is used as
8 the lead article and displayed on the cover page of a state- or
9 county-wide distributed publication, then the notice shall be
10 displayed on the cover page of the publication.

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

16 SECTION 2. Section 11-410, Hawaii Revised Statutes, is
17 amended by amending subsection (h) to read as follows:

18 "(h) This section shall not apply to any person who, prior
19 to the commencement of proceedings under this section, has paid
20 or agreed to pay the fines prescribed by sections 11-340
21 and [~~11-391(b)-~~] 11-391(c)."



1 SECTION 3. Section 11-412, Hawaii Revised Statutes, is
2 amended by amending subsection (g) to read as follows:

3 "(g) This section shall not apply to any person who, prior
4 to the commencement of proceedings under this section, has paid
5 or agreed to pay the fines prescribed by sections 11-340
6 and [~~11-391(b).~~] 11-391(c)."

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 Statutory material to be repealed is bracketed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

9 SECTION 5. This Act shall take effect on July 1, 2112.



H.B. NO. 239
H.D. 1

Report Title:

Elections; Campaign Finance; Advertisements; Disclosure

Description:

Requires, in the case of any multiple-page advertisement, for the required disclosures to 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. Effective 7/1/2112. (HD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

