
A BILL FOR AN ACT

RELATING TO ELECTIONS.

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

1 SECTION 1. Section 11-341, Hawaii Revised Statutes, is
2 amended by amending subsection (d) to read as follows:

3 "(d) For purposes of this section:

4 "Disclosure date" means, for every calendar year, the first
5 date by which a person has made expenditures during that same
6 year of more than \$2,000 in the aggregate for electioneering
7 communications, and the date of any subsequent expenditures by
8 that person for electioneering communications.

9 "Electioneering communication" means any advertisement that
10 is broadcast from a cable, satellite, television, or radio
11 broadcast station; published in any periodical or newspaper or
12 by electronic means; or sent by mail at a bulk rate, and that:

13 (1) Refers to a clearly identifiable candidate;

14 (2) Is made, or scheduled to be made, either within thirty
15 days prior to a primary or initial special election or
16 within sixty days prior to a general or special
17 election; and



1 (3) Is not susceptible to any reasonable interpretation
2 other than as an appeal to vote for or against a
3 specific candidate.

4 "Electioneering communication" shall not include
5 ~~[communications:]~~ any communication:

6 (1) In a news story or editorial disseminated by any
7 broadcast station or publisher of periodicals or
8 newspapers, unless the facilities are owned or
9 controlled by a candidate, candidate committee, or
10 noncandidate committee;

11 (2) That ~~[constitute expenditures]~~ constitutes an
12 expenditure by the expending organization;

13 (3) In a house ~~[bulletins; or]~~ bulletin;

14 (4) That ~~[constitute]~~ constitutes a candidate debate or
15 forum, or solely ~~[promote]~~ promotes a debate or forum
16 and ~~[are]~~ is made by or on behalf of the person
17 sponsoring the debate or forum~~[-]~~;

18 (5) That constitutes communications of a candidate's name
19 on sundry items such as bumper stickers, stickers, or
20 novelty items directly associated with that
21 candidate's campaign committee; or



1 (6) That is an advertisement broadcast, published, or
2 distributed by any candidate or that candidate's
3 candidate committee to promote the election of that
4 candidate or oppose the election of an opponent of
5 that candidate; provided that the advertisement is in
6 compliance with section 11-391."

7 SECTION 2. Statutory material to be repealed is bracketed
8 and stricken. New statutory material is underscored.

9 SECTION 3. This Act shall take effect on July 1, 2112.



H.B. NO. 656
H.D. 1

Report Title:

Electioneering Communications; Exclusions; Reporting Requirements

Description:

Excludes sundry items and advertisements made by a candidate or the candidate's candidate committee from electioneering communication reporting requirements. Effective 7/1/2112.
(HD1)

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