

JAN 22 2021

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# A BILL FOR AN ACT

RELATING TO REIMBURSEMENTS FOR EXPENDITURES BY COMMITTEES.

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

1           SECTION 1. Section 11-333, Hawaii Revised Statutes, is  
2 amended by amending subsection (b) to read as follows:

3           "(b) Schedules filed with the reports shall include the  
4 following additional information:

5           (1) The amount and date of deposit of each contribution  
6 and the name and address of each contributor who makes  
7 contributions aggregating more than \$100 in an  
8 election period; provided that if all the information  
9 is not on file, the contribution shall be returned to  
10 the contributor within thirty days of deposit;

11           (2) The amount and date of deposit of each contribution  
12 and the name, address, occupation, and employer of  
13 each contributor who makes contributions aggregating  
14 \$1,000 or more during an election period; provided  
15 that if all the information is not on file, the  
16 contribution shall be returned to the contributor  
17 within thirty days of deposit;



- 1           (3) All expenditures, including the name and address of  
2           each payee and the amount, date, and purpose of each  
3           expenditure. Expenditures for consultants,  
4           advertising agencies and similar firms, credit card  
5           payments, salaries, and [~~candidate~~] committee  
6           reimbursements to the candidate or other individuals  
7           shall be itemized to permit a reasonable person to  
8           determine the ultimate intended recipient of the  
9           expenditure and its purpose;
- 10          (4) The amount, date of deposit, and description of other  
11          receipts and the name and address of the source of  
12          each of the other receipts;
- 13          (5) Information about each loan received by the committee,  
14          together with the names and addresses of the lender  
15          and each person liable directly, and the amount of  
16          each loan. A copy of the executed loan document shall  
17          be received by the commission by mail or delivery on  
18          or before the filing date for the report covering the  
19          reporting period when the loan was received. The  
20          document shall contain the terms of the loan,  
21          including the interest and repayment schedule.



1 Failure to disclose the loan or to provide  
2 documentation of the loan to the commission shall  
3 cause the loan to be treated as a contribution,  
4 subject to all relevant provisions of this part;

5 (6) A description of each durable asset, the date of  
6 acquisition, value at the time of acquisition, and the  
7 name and address of the vendor or contributor of the  
8 asset; and

9 (7) The date of disposition of each durable asset, value  
10 at the time of disposition, the method of disposition,  
11 and the name and address of the person receiving the  
12 asset."

13 SECTION 2. Section 11-335, Hawaii Revised Statutes, is  
14 amended by amending subsection (b) to read as follows:

15 "(b) Schedules filed with the reports shall include the  
16 following additional information:

17 (1) The amount and date of deposit of each contribution  
18 received and the name, address, occupation, and  
19 employer of each contributor making a contribution  
20 aggregating more than \$100 during an election period,  
21 which was not previously reported; provided that if:



- 1 (A) All the information is not on file, the  
2 contribution shall be returned to the contributor  
3 within thirty days of deposit; and
- 4 (B) A noncandidate committee making only independent  
5 expenditures receives a contribution of more than  
6 \$10,000 in the aggregate in an election period  
7 from an entity other than an individual, for-  
8 profit business entity, or labor union, then the  
9 schedule shall include:
- 10 (i) The internet address where the contributing  
11 entity's disclosure report can be publicly  
12 accessed, if the contributing entity is  
13 subject to state or federal disclosure  
14 reporting requirements regarding the source  
15 of the contributing entity's funds;
- 16 (ii) The name, address, occupation, and employer  
17 of each funding source that contributed \$100  
18 or more in the aggregate in an election  
19 period to that contributing entity; or
- 20 (iii) An acknowledgment that the contributing  
21 entity is not subject to any state or



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1 federal disclosure reporting requirements  
2 regarding the source of the contributing  
3 entity's funds;

4 (2) The amount and date of each contribution made and the  
5 name and address of the candidate, candidate  
6 committee, or noncandidate committee to which the  
7 contribution was made;

8 (3) All expenditures, including the name and address of  
9 each payee and the amount, date, and purpose of each  
10 expenditure; provided that:

11 (A) Expenditures for advertisements or electioneering  
12 communications shall include the names of the  
13 candidates supported, opposed, or clearly  
14 identified;

15 (B) Expenditures for consultants, advertising  
16 agencies and similar firms, credit card payments,  
17 and salaries [~~and candidate reimbursements~~]  
18 shall be itemized to permit a reasonable person  
19 to determine the ultimate intended recipient of  
20 the expenditure and its purpose;



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1 (C) Independent expenditures shall include the name  
2 of any candidate supported, opposed, or clearly  
3 identified; and

4 (D) The purpose of an independent expenditure shall  
5 include the name of the candidate who is  
6 supported or opposed by the expenditure, and  
7 whether the expenditure supports or opposes the  
8 candidate;

9 (4) For noncandidate committees making only independent  
10 expenditures, certification that no expenditures have  
11 been coordinated with a candidate, candidate  
12 committee, or any agent of a candidate or candidate  
13 committee;

14 (5) The amount, date of deposit, and description of other  
15 receipts and the name and address of the source of  
16 each of the other receipts;

17 (6) A description of each durable asset, the date of  
18 acquisition, value at the time of acquisition, and the  
19 name and address of the vendor or contributor of the  
20 asset; and



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1           (7) The date of disposition of a durable asset, value at  
2           the time of disposition, method of disposition, and  
3           name and address of the person receiving the asset."

4           SECTION 3. Statutory material to be repealed is bracketed  
5 and stricken. New statutory material is underscored.

6           SECTION 4. This Act shall take effect upon its approval.

7

INTRODUCED BY:   
By Request



# S.B. NO. 402

**Report Title:**

Campaign Spending Commission Package; Candidate Committee Reports; Expenditures; Reporting Reimbursements

**Description:**

Provides that expenditures by candidate committees may be made to reimburse other individuals (e.g., campaign volunteers) for expenditures advanced by those individuals, in addition to those advanced by the candidate. Deletes "candidate reimbursements" from the category of expenditures that noncandidate committees must itemize in their reports since noncandidate committees are not allowed to receive or make loans pursuant to section 11-335(c), HRS.

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

