STAND. COM. REP. NO. 746

Honolulu, Hawaii

## MAR 0 4 2021

RE: S.B. No. 404

Honorable Ronald D. Kouchi President of the Senate Thirty-First State Legislature Regular Session of 2021 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 404 entitled:

"A BILL FOR AN ACT RELATING TO ELECTIONEERING COMMUNICATIONS,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- Increase the monetary threshold that requires disclosure of electioneering communications;
- (2) Require that disclosures of electioneering communications occur on the date the electioneering communications are publicly distributed; and
- (3) Classify election advertisements sent by mail at any postal rate, and election advertisements that are expenditures of an organization, as electioneering communications.

Your Committee received testimony in support of this measure from the Campaign Spending Commission and Common Cause Hawaii.

Your Committee finds that the contracts for campaign advertisements can occur weeks or months before the advertisements are publicly distributed. Your Committee further finds that changing the disclosure date to the date on which the



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advertisement runs and triggering the requirement to file a statement of information at that time will increase public transparency and accountability in campaign advertising. Your Committee additionally finds that increasing the threshold amount for filing a statement of information from \$2,000 to \$5,000 will reduce the burden on smaller candidate committees that generally engage in less advertising.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 404 and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

> Respectfully submitted on behalf of the members of the Committee on Judiciary,

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KARL RHOADS, Chair



## The Senate Thirty-First Legislature State of Hawaiʻi

## Record of Votes Committee on Judiciary JDC

Bill / Resolution No.:*	Committee Referral:			Date:	
58404	JDC			2/10/21	
The Committee is reconsidering its previous decision on this measure.					
If so, then the previous decision was to:					
The Recommendation is:					
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313					
Members		Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)		$\checkmark$			
KEOHOKALOLE, Jarrett (VC)		V			
ACASIO, Laura		$\checkmark$			
GABBARD, Mike		· V			
KIM, Donna Mercado		V			
LEE, Chris		V			
FEVELLA, Kurt		V			
TOTAL		7	0	0	0
Recommendation:  Adopted  Not Adopted					
Chair's or Designee's Signature:					
Distribution:         Original         Yellow         Pink         Goldenrod           File with Committee Report         Clerk's Office         Drafting Agency         Committee File Copy					

\*Only <u>one</u> measure per Record of Votes