



GOV. MSG. NO. 1223

EXECUTIVE CHAMBERS
KE KE'ENA O KE KIA'ĀINA

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA

June 23, 2023

The Honorable Ronald D. Kouchi
President of the Senate,
and Members of the Senate
Thirty-Second State Legislature
State Capitol, Room 409
Honolulu, Hawai'i 96813

The Honorable Scott K. Saiki
Speaker, and Members of the
House of Representatives
Thirty-Second State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

This is to inform you that on June 23, 2023, the following bill was signed into law:

HB463 SD1 CD1

RELATING TO ELECTIONS.
ACT 122

Sincerely,

Josh Green, M.D.
Governor, State of Hawai'i

on JUN 23 2023

HOUSE OF REPRESENTATIVES
THIRTY-SECOND LEGISLATURE, 2023
STATE OF HAWAII

H.B. NO. 463
S.D. 1
C.D. 1

A BILL FOR AN ACT

RELATING TO ELECTIONS.

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

1 SECTION 1. The legislature finds that the current state of
2 politics and public mistrust in government necessitate the
3 enactment of more rigorous campaign disclosure laws. The
4 legislature firmly believes that it is clear that the State has
5 sufficiently important government interests in an informed
6 electorate, deterring corruption and the appearance of
7 corruption, and gathering the data necessary to detect campaign
8 spending violations. Campaign disclosure requirements directly
9 serve these sufficiently important government interests.

10 The legislature further finds that in the seminal case on
11 campaign finance law, *Buckley v. Valeo*, 424 U.S. 1 (1976), the
12 United States Supreme Court acknowledged the sufficiently
13 important government interest in ensuring that voters are fully
14 informed through campaign spending disclosure requirements. The
15 United States Supreme Court also acknowledged that campaign
16 spending disclosure requirements directly serve the sufficiently
17 important government interests of deterring corruption and the



1 appearance of corruption as well as gathering the data necessary
2 to detect campaign spending violations.

3 The legislature also finds that the State's existing
4 campaign finance laws fail to reveal the source of campaign
5 expenditures for noncandidate committees when the expenditures
6 are under \$1,000. Because of this arbitrary limit, there is a
7 lack of transparency that fails to inform the public about who
8 is trying to influence an election.

9 The legislature further finds that the current campaign
10 expenditure disclosure threshold of \$1,000 makes it easy to
11 evade campaign spending reporting laws since noncandidate
12 committees that expend just under the \$1,000 threshold do not
13 need to file organizational reports. For example, a
14 noncandidate committee that expends \$999, which is a significant
15 amount for expenditures, is not required to report those
16 expenditures under existing law, therefore those expenses go
17 unreported. This Act would prevent noncandidate committees from
18 evading campaign spending reporting laws for such expenditure
19 amounts.

20 Therefore, the purpose of this Act is to enhance
21 transparency and prevent noncandidate committees from evading



1 campaign spending reporting laws by lowering the threshold for
2 disclosure of campaign expenditures to \$500, thus providing
3 greater accountability and public awareness.

4 SECTION 2. Section 11-321, Hawaii Revised Statutes, is
5 amended by amending subsection (g) to read as follows:

6 "(g) The organizational report for a noncandidate
7 committee shall be filed within ten days of receiving
8 contributions or making or incurring expenditures of more than
9 [~~\$1,000,~~] \$500, in the aggregate, in a two-year election period;
10 provided that within the thirty-day period [~~prior to~~] before an
11 election, a noncandidate committee shall register by filing an
12 organizational report within two days of receiving contributions
13 or making or incurring expenditures of more than [~~\$1,000,~~] \$500,
14 in the aggregate, in a two-year election period."

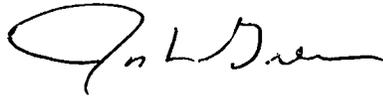
15 SECTION 3. This Act does not affect rights and duties that
16 matured, penalties that were incurred, and proceedings that were
17 begun before its effective date.

18 SECTION 4. Statutory material to be repealed is bracketed
19 and stricken. New statutory material is underscored.

20 SECTION 5. This Act shall take effect upon its approval.



APPROVED this 23rd day of June , 2023



GOVERNOR OF THE STATE OF HAWAII

HB No. 463, SD 1, CD 1

THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: May 2, 2023
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Thirty-Second Legislature of the State of Hawaii, Regular Session of 2023.



Scott K. Saiki
Speaker
House of Representatives



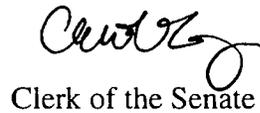
Brian L. Takeshita
Chief Clerk
House of Representatives

THE SENATE OF THE STATE OF HAWAI'I

Date: May 2, 2023
Honolulu, Hawai'i 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the Senate of the Thirty-Second Legislature of the State of Hawai'i, Regular Session of 2023.


President of the Senate


Clerk of the Senate