
A BILL FOR AN ACT

RELATING TO LOBBYISTS.

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

1 SECTION 1. The legislature finds that contributions made
2 during legislative sessions, including extended sessions or
3 special sessions, can create the perception that the
4 contribution is, or is intended, to influence decisions being
5 taken on pending legislation. The legislature's passage of Act
6 283, Session Laws of Hawaii 2022, to prohibit elected state and
7 county officials from holding fundraisers during regular and
8 special sessions of the state legislature is one approach to
9 restoring confidence in Hawai'i's legislative process.

10 The legislature further finds that a number of states
11 restrict or prohibit contributions from lobbyists during
12 legislative sessions. According to the National Conference of
13 State Legislatures, at least thirteen states have enacted such
14 laws. Some extend the window where contributions cannot be made
15 by lobbyists to the period when legislation from the regular
16 session is awaiting gubernatorial action (Arizona and Colorado),
17 a set period following the adjournment of a session (Iowa and
18 Oklahoma), and to only allowing contributions during the



1 election year for that candidate (Wisconsin). The legislature
2 concludes that restricting lobbyists from donating, or promising
3 to later donate, to an elected official during a legislative
4 session and the five days before and after the session will
5 further the goal of reducing undue influence and its appearance.

6 The purpose of this Act is to prohibit, during legislative
7 sessions and shortly before and after, lobbyist contributions
8 and expenditures and promises of contributions or expenditures,
9 to any elected official, candidate, candidate committee, or
10 individual who is required to file an organizational report with
11 the campaign spending commission.

12 SECTION 2. Chapter 11, Hawaii Revised Statutes, is amended
13 by adding a new section to part XIII, subpart E, to be
14 appropriately designated and to read as follows:

15 "§11- Contributions and expenditures by lobbyists
16 prohibited during legislative session. (a) During any regular
17 session or special session of the state legislature, including
18 any extension of any regular session or special session and any
19 legislative recess days, holidays, and weekends, and for five
20 calendar days before and after a session, no lobbyist shall
21 make, or promise to make at a later time, any contributions or



1 expenditures to or on behalf of an elected official, candidate,
2 candidate committee, or any other individual required to file an
3 organizational report pursuant to section 11-321. No elected
4 official, candidate, candidate committee, or other individual
5 required to file an organizational report pursuant to section
6 11-321 shall accept, or agree to accept at a later time, any
7 contribution from a lobbyist during the specified period under
8 this subsection. Any contribution prohibited by this subsection
9 shall escheat to the Hawaii election campaign fund.

10 (b) For the purposes of this section:

11 "Elected official" has the same meaning as in section
12 11-342.

13 "Lobbyist" means any person actively registered as a
14 lobbyist with a state or county ethics board or commission."

15 SECTION 3. Section 97-5, Hawaii Revised Statutes, is
16 amended to read as follows:

17 "[~~§~~97-5~~§~~] **Restricted activities.** (a) No lobbyist
18 shall accept or agree to accept any payment in any way
19 contingent upon the defeat, enactment, or outcome of any
20 proposed legislative or administrative action. During any
21 regular session or special session of the state legislature,



1 including any extension of any regular session or special
2 session and any legislative recess days, holidays, and weekends,
3 and for five calendar days before and after a session, no
4 lobbyist shall make, or promise to make at a later time, any
5 contributions or expenditures to or on behalf of an elected
6 official, candidate, candidate committee, or any other
7 individual required to file an organizational report pursuant to
8 section 11-321.

9 (b) For the purposes of this section, "elected official"
10 has the same meaning as in section 11-342."

11 SECTION 4. Statutory material to be repealed is bracketed
12 and stricken. New statutory material is underscored.

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



Report Title:

Lobbyist Contributions; Legislative Session; Elected Officials;
Candidates; Prohibited

Description:

Prohibits, during legislative sessions and shortly before and after, lobbyist contributions and expenditures, and promises of contributions or expenditures, to any elected official, candidate, candidate committee, or individual who is required to file an organizational report with the Campaign Spending Commission. (CD1)

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