

JAN 20 2023

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# A BILL FOR AN ACT

RELATING TO CAMPAIGN FINANCE.

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

1           SECTION 1. Section 11-381, Hawaii Revised Statutes, is  
2 amended by amending subsection (a) to read as follows:

3           "(a) Campaign funds may be used by a candidate, treasurer,  
4 or candidate committee:

5           (1) For any purpose directly related:

6           (A) In the case of the candidate, to the candidate's  
7                 own campaign; or

8           (B) In the case of a candidate committee or treasurer  
9                 of a candidate committee, to the campaign of the  
10                candidate, question, or issue with which they are  
11                directly associated;

12          (2) To purchase or lease consumer goods, vehicles,  
13                equipment, and services that provide a mixed benefit  
14                to the candidate. The candidate, however, shall  
15                reimburse the candidate's candidate committee for the  
16                candidate's personal use of these items unless the  
17                personal use is de minimis;



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- 1           (3) To make donations to any community service,  
2           educational, youth, recreational, charitable,  
3           scientific, or literary organization; provided that in  
4           any election period, the total amount of all donations  
5           shall be no more than twice the maximum amount that  
6           one person may contribute to that candidate pursuant  
7           to section 11-357; provided further that no donations  
8           shall be made from the date the candidate files  
9           nomination papers to the date of the general election  
10          unless the candidate is:
- 11           (A) Declared to be duly and legally elected to the  
12           office for which the person is a candidate  
13           pursuant to section 12-41;
- 14           (B) Deemed and declared to be duly and legally  
15           elected to the office for which the person is a  
16           candidate pursuant to section 12-42; or
- 17           (C) Unsuccessful in the primary or special primary  
18           election;
- 19          (4) To make donations to any public school or public  
20          library; provided that in any election period, the  
21          total amount of all contributions shall be no more



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1 than twice the maximum amount that one person may  
2 contribute to that candidate pursuant to section 11-  
3 357; provided further that any donation under this  
4 paragraph shall not be aggregated with or imputed  
5 toward any limitation on donations pursuant to  
6 paragraph (3);

- 7 (5) To award scholarships to full-time students attending  
8 an institution of higher education or a vocational  
9 education school in a program leading to a degree,  
10 certificate, or other recognized educational  
11 credential; provided that in any election period, the  
12 total amount of all scholarships awarded shall be no  
13 more than twice the maximum amount that one person may  
14 contribute to that candidate pursuant to section 11-  
15 357; provided further that no awards shall be made  
16 from the filing deadline for nomination papers to the  
17 date of the general election unless the candidate is:  
18 (A) Declared to be duly and legally elected to the  
19 office for which the person is a candidate  
20 pursuant to section 12-41;



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- 1 (B) Deemed and declared to be duly and legally  
2 elected to the office for which the person is a  
3 candidate pursuant to section 12-42; or  
4 (C) Unsuccessful in the primary or special primary  
5 election;
- 6 (6) To purchase not more than two tickets for each event  
7 held by another candidate or committee, regardless of  
8 whether the event constitutes a fundraiser as defined  
9 in section 11-342;
- 10 (7) To make contributions to the candidate's party so long  
11 as the contributions are not earmarked for another  
12 candidate; [~~or~~]
- 13 (8) To pay for ordinary and necessary expenses incurred in  
14 connection with the candidate's duties as a holder of  
15 an office, including expenses incurred for memberships  
16 in civic or community groups[~~-~~]; or
- 17 (9) To pay for the candidate's child care or vital  
18 household dependent care costs; provided that:  
19 (A) The child care or vital household dependent care  
20 costs would not have been incurred but for the



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1                   candidate's participation in the candidate's own  
2                   campaign activity;

3           (B) Qualifying child care or vital household  
4                   dependent care costs shall be limited to costs  
5                   for child care or vital household dependent care  
6                   services incurred from January 1 of the election  
7                   year to the day after the date of the primary or  
8                   general election in which the candidate appears  
9                   on the ballot;

10           (C) The child care or vital household dependent care  
11                   services shall not be provided by immediate  
12                   family; and

13           (D) As used in this paragraph:  
14                               "Child" means a person under twelve years of  
15                               age who is a biological, adopted, or foster  
16                               child; a stepchild; or a legal ward of the  
17                               candidate.

18                               "Child care" means a situation where a  
19                               person or organization has agreed to assume and  
20                               has been entrusted with responsibility for the



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1                   supervision, development, safety, and protection  
2                   of the candidate's child.

3                   "Vital household dependent" means a person,  
4                   such as a family member, living in the  
5                   candidate's household who is physically or  
6                   mentally incapable of self-care.

7                   "Vital household dependent care" means a  
8                   situation where a person or organization has agreed to  
9                   assume and has been entrusted with responsibility for  
10                  the supervision, development, safety, and protection  
11                  of the candidate's vital household dependent."

12                  SECTION 2. Statutory material to be repealed is bracketed  
13 and stricken. New statutory material is underscored.

14                  SECTION 3. This Act shall take effect upon its approval.

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INTRODUCED BY:





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**Report Title:**

Elections; Campaign Finance; Use of Campaign Funds; Child Care;  
Vital Household Dependent Care

**Description:**

Allows candidates seeking election to use campaign funds for child care and vital household dependent care costs under certain conditions.

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

