
A BILL FOR AN ACT

RELATING TO PUBLIC FINANCING FOR CANDIDATES TO ELECTED OFFICE.

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

1 SECTION 1. The legislature finds that providing a
2 mechanism to fully fund the elections of candidates for state
3 and county offices who voluntarily agree to abide by campaign
4 fundraising and expenditure guidelines will have significant
5 public benefit. The common belief is that the existing campaign
6 finance system used in Hawaii (and most other states) unfairly
7 favors a small handful of wealthy donors who use their donations
8 to buy access to candidates and elected officials.
9 Comprehensive, publicly-funded campaign programs are intended to
10 improve the process by allowing candidates to compete without
11 reliance on private funds and also allowing elected officials to
12 make decisions without the influence, or appearance of
13 influence, of private individuals, lobbyists, political parties,
14 political action committees, unions, corporations, and other
15 entities. Candidates who choose to participate in Hawaii's
16 comprehensive public funding program established by this Act,
17 after obtaining a minimum number of \$5 donations from voters,



1 would be barred from soliciting, accepting, or using
2 contributions from any source other than the program's public
3 funds. This restriction on funding would apply during each
4 participating candidate's campaign and, if elected, throughout
5 the candidate's term in office. By demonstrating support from
6 voters in the relevant district, the participating candidate
7 justifies receipt of public funding sufficient to run in a
8 primary and, if successful, general election campaign.

9 The legislature further finds that public financing of
10 campaigns in some form has existed since the 1970s and was
11 enacted as a response to Watergate. Hawaii became a leader in
12 public funding programs when it added language to the Hawaii
13 State Constitution in 1978 that established the partial public
14 financing program that is still used by candidates.
15 Comprehensive public financing programs, sometimes termed "clean
16 elections," were established in 1996 in Maine and in 1998 in
17 Arizona and have since been adopted in Connecticut and New
18 Mexico.

19 The legislature further finds that the statewide
20 comprehensive public funding program established by this Act is
21 modeled after the Hawaii county council comprehensive public



1 funding pilot project that disbursed \$363,060 in public funds to
2 a total of sixteen candidates in the 2010 and 2012 county
3 council elections within Hawaii county. The statewide program
4 is also guided by Maine's Clean Election Act, which since 2000
5 has supported legislative and gubernatorial candidates in a
6 state with a population similar to Hawaii. Under Maine's
7 program, a state senate candidate would need to obtain at least
8 one hundred seventy-five qualifying contributions in order to be
9 eligible to receive up to \$70,000 in public funds, and a
10 gubernatorial candidate would need at least three thousand two
11 hundred qualifying contributions for up to \$3,000,000 in public
12 funds. Comparable levels of public funding will be necessary to
13 ensure that Hawaii's program is practicable for participating
14 candidates. The legislature notes that the annual cost of
15 operating a program to publicly fund candidates dwarfs in
16 comparison to the state budget of several billion dollars. The
17 cost is equally eclipsed by the projected increase in public
18 confidence in the State's candidates and elected officials.

19 Therefore, the purpose of this Act is to:

- 20 (1) Establish a comprehensive system of public financing
21 for all candidates seeking election to state and



1 county public offices in the State, to begin with the
2 2026 general election year;

3 (2) Appropriate funds to the Hawaii election campaign
4 fund; and

5 (3) Appropriate funds from the Hawaii election campaign
6 fund to the campaign spending commission.

7 SECTION 2. Chapter 11, Hawaii Revised Statutes, is amended
8 by adding a new subpart to part XIII to be appropriately
9 designated and to read as follows:

10 " . Comprehensive Public Funding for Candidates to
11 State and County Offices

12 **§11-A Definitions.** Except for terms that are specifically
13 defined in this subpart, terms that are defined under
14 section 11-302 shall apply to this subpart. When used in this
15 subpart, unless the context clearly requires otherwise:

16 "Candidate" means an individual who seeks nomination for
17 election or seeks election to a state or county office in the
18 State.

19 "Certification for comprehensive public funding" means the
20 decision by the commission that a candidate is certified to



1 receive comprehensive public funding in accordance with this
2 subpart.

3 "Certified candidate" or "comprehensive publicly-funded
4 candidate" means a candidate who is certified by the commission
5 as eligible for comprehensive public funding under this subpart
6 and who agrees to abide by the requirements of this subpart.

7 "Comprehensive public funding", "comprehensive public
8 funds", "public funding", or "public funds" means campaign funds
9 from the Hawaii election campaign fund under section 11-421 that
10 are received by a certified candidate pursuant to this subpart.

11 "Declaration of intent to seek comprehensive public
12 funding" means the form completed by a candidate seeking public
13 funding.

14 "General election" means a general, subsequent special
15 election, or subsequent nonpartisan election.

16 "General election campaign period" means the period
17 beginning the day after the primary election and ending on
18 general election day.

19 "General election year" means the period commencing
20 January 1 of an even-numbered year in which a general election
21 is held and ending on the general election day.



1 "Primary election" means a primary, initial special
2 election, or initial nonpartisan election.

3 "Qualifying contribution" means a monetary contribution
4 that complies with section 11-E.

5 "Seed money" means contributions made to a candidate by an
6 individual and expended for the purpose of determining campaign
7 viability in accordance with section 11-D.

8 **§11-B Establishment.** There shall be established a
9 comprehensive public funding program for candidates to state and
10 county public offices in the State, beginning with the 2026
11 general election year.

12 **§11-C Qualifications for comprehensive public funding.**

13 (a) A candidate shall be eligible to seek comprehensive public
14 funding for the primary election campaign period if the
15 candidate:

16 (1) Resides in the respective district from which election
17 is sought as of the date of the filing of nomination
18 papers for the primary election in the general
19 election year in which the candidate seeks to be
20 elected;



- 1 (2) Is a registered voter in the district from which
- 2 election is sought;
- 3 (3) Files a declaration of intent to seek comprehensive
- 4 public funding with the commission between December 1
- 5 of the year before the general election year and
- 6 thirty days before the closing date to file nomination
- 7 papers to run for the office for which the candidate
- 8 intends to seek election;
- 9 (4) Collects qualifying contributions and names in
- 10 accordance with section 11-E;
- 11 (5) Accepts, for the office for which the candidate
- 12 intends to seek election, only the following
- 13 contributions before applying for certification as a
- 14 comprehensive publicly-funded candidate:
- 15 (A) Seed money contributions, until the candidate
- 16 files a declaration of intent to seek
- 17 comprehensive public funding; and
- 18 (B) Qualifying contributions that shall be accepted
- 19 only after filing the declaration of intent to
- 20 seek comprehensive public funding;



1 (6) Files an application for certification for
2 comprehensive public funding with the commission; and

3 (7) Agrees to comply with contribution and expenditure
4 restrictions in accordance with section 11-H and with
5 other program requirements, if certified pursuant to
6 this subpart.

7 (b) A candidate shall be qualified to seek comprehensive
8 public funding for the general election campaign period if the
9 candidate:

10 (1) Was certified as a comprehensive publicly-funded
11 candidate during the primary election campaign period
12 immediately preceding the general election in which
13 the funds under this subpart are provided;

14 (2) Continues to meet the requirements of subsection (a)
15 and this subpart; and

16 (3) Received a sufficient number of votes to appear on the
17 ballot in the general election or is otherwise
18 certified by the county clerk to be placed on the
19 ballot in the general election.

20 (c) For the purposes of this section, "primary election
21 campaign period" means the period in a primary election year



1 beginning with the certification for public funding under this
2 subpart and ending on the primary election day.

3 **§11-D Seed money contributions; limitations on use of seed**
4 **money; penalties.** (a) The use of seed money shall be limited
5 to expenditures necessary to determine whether sufficient
6 support exists for a candidate to run for office as a
7 comprehensive publicly-funded candidate.

8 (b) The amount of seed money received, expended, or both,
9 by a candidate seeking eligibility for comprehensive public
10 funding shall not exceed \$5,000, which shall include any
11 personal funds, surplus campaign funds, or contributions
12 received from individuals in an aggregate amount no greater than
13 \$250 each that the candidate may choose to use. A candidate
14 seeking eligibility for comprehensive public funding shall not
15 accept contributions of seed money from any individual whose
16 contributions are prohibited under subpart E. All contributors
17 whose seed money has been accepted shall be issued a receipt by
18 the candidate.

19 (c) An individual who uses seed money to determine whether
20 sufficient support exists to run for office as a comprehensive
21 publicly-funded candidate who is not already registered with the



1 commission, within ten days of receiving more than \$100 in seed
2 money either from contributions or personal funds, shall
3 register as a candidate by filing the organizational report
4 required by section 11-321.

5 (d) Seed money shall not be collected after the candidate
6 has filed the declaration of intent to seek comprehensive public
7 funding. The candidate shall spend seed money only until the
8 candidate is certified by the commission as a comprehensive
9 publicly-funded candidate or the closing date to file nomination
10 papers to run for the office for which the candidate intends to
11 seek election, whichever occurs first.

12 (e) Any unspent seed money shall be deducted from the
13 amount of comprehensive public funding provided to the certified
14 candidate; provided that the certified candidate does not donate
15 the unspent seed money to the Hawaii election campaign fund.

16 (f) A certified candidate who has surplus campaign funds
17 from a previous election shall be prohibited from using those
18 funds for any purpose except as seed money pursuant to this
19 section. The surplus campaign funds shall be frozen and
20 maintained in a separate depository account from that
21 established for the public funds under section 11-J. The



1 candidate shall continue to file reports on the surplus campaign
2 funds in accordance with subpart D, or as may otherwise be
3 required by the commission.

4 (g) For the purposes of this section, "surplus campaign
5 funds" means any campaign contributions not spent during a prior
6 election period by a candidate who previously sought election as
7 a privately-funded candidate.

8 **§11-E Application for comprehensive public funds;**
9 **qualifying contributions.** (a) Each candidate seeking
10 comprehensive public funding shall submit an application for
11 certification that contains at least the minimum number of
12 qualifying contributions, as specified in subsection (b). Each
13 qualifying contribution shall be a monetary contribution of
14 exactly \$5 and in the form of cash, a check, or a money order
15 payable to the Hawaii election campaign fund and signed by the
16 contributor in support of a candidate, or an electronic form of
17 payment made in support of a candidate according to procedures
18 established by the commission. Further, each qualifying
19 contribution shall be accompanied by a form provided by the
20 commission that includes:



1 (1) The contributor's printed name, address, signature,
2 date of birth, and acknowledgement that the
3 contribution was made with the contributor's personal
4 funds and in support of the candidate and was not
5 given in exchange for anything of value; and

6 (2) The candidate's acknowledgement that the contribution
7 was obtained with the candidate's knowledge and
8 approval and that nothing of value was given in
9 exchange for the contribution. Only registered voters
10 who reside within the respective district from which
11 the candidate seeks nomination or election at the time
12 the contribution is given shall be considered for
13 certification purposes. Nothing of value shall be
14 given to the individual in exchange for the qualifying
15 contribution.

16 (b) The minimum number of qualifying contributions shall
17 be as follows:

18 (1) For the office of governor - 6,250 qualifying
19 contributions;

20 (2) For the office of lieutenant governor - three thousand
21 qualifying contributions;



- 1 (3) For the office of state senator – four hundred
2 qualifying contributions;
- 3 (4) For the office of state representative – two hundred
4 qualifying contributions;
- 5 (5) For the office of Hawaiian affairs – two hundred
6 qualifying contributions;
- 7 (6) For the office of mayor of a county with a population
8 of five hundred thousand or more – 5,750 qualifying
9 contributions;
- 10 (7) For the office of mayor of a county with a population
11 of no less than 195,000 but no more than 499,999 –
12 nine hundred qualifying contributions;
- 13 (8) For the office of mayor of a county with a population
14 of no less than one hundred fifty thousand but no more
15 than 194,999 – one thousand five hundred qualifying
16 contributions;
- 17 (9) For the office of mayor of a county with a population
18 of less than one hundred fifty thousand – eight
19 hundred seventy-five qualifying contributions;



- 1 (10) For the office of prosecuting attorney of a county
2 with a population of five hundred thousand or more –
3 five hundred sixty-three qualifying contributions;
- 4 (11) For the office of prosecuting attorney of a county
5 with a population of no less than 195,000 but no more
6 than 499,999 – two hundred qualifying contributions;
- 7 (12) For the office of prosecuting attorney of a county
8 with a population of no less than one hundred fifty
9 thousand but no more than 194,999 – two hundred
10 qualifying contributions;
- 11 (13) For the office of prosecuting attorney of a county
12 with a population of less than one hundred fifty
13 thousand – two hundred qualifying contributions;
- 14 (14) For the office of county council of a county with a
15 population of five hundred thousand or more – three
16 hundred thirty-eight qualifying contributions;
- 17 (15) For the office of county council of a county with a
18 population of no less than 195,000 but no more than
19 499,999 – two hundred qualifying contributions
- 20 (16) For the office of county council of a county with a
21 population of no less than one hundred fifty thousand



1 but no more than 194,999 – two hundred qualifying
2 contributions; and

3 (17) For the office of county council of a county with a
4 population of less than one hundred fifty thousand –
5 two hundred qualifying contributions.

6 (c) No qualifying contribution shall be collected before a
7 candidate files a declaration of intent to seek comprehensive
8 public funding with the commission. A contribution received
9 before the filing of a declaration of intent to seek
10 comprehensive public funding shall not be considered a
11 qualifying contribution.

12 (d) Any receipt for a qualifying contribution shall be
13 made in a form prescribed by the commission pursuant to
14 section 11-M.

15 (e) All qualifying contributions collected by a candidate,
16 regardless of whether the candidate is certified, shall be
17 deposited into the Hawaii election campaign fund.

18 (f) The application for certification shall be submitted
19 to the commission no later than thirty days before the primary
20 election and shall be signed by the candidate and candidate's
21 campaign treasurer under penalty of perjury. The application



1 shall contain any other information deemed necessary by the
2 commission.

3 (g) Use of voter registration information to obtain
4 qualifying contributions and seek comprehensive public funds
5 shall constitute election purposes pursuant to section 11-97 and
6 applicable rules.

7 **§11-F Certification of qualification for comprehensive**
8 **public funds.** (a) The commission, in coordination with the
9 clerk for the county that includes the district in which
10 election is sought, shall verify that at least the minimum
11 required qualifying contributions and names were received by the
12 candidate from registered voters in the district in which the
13 candidate seeks office, that the candidate resides in the
14 district in which election is sought as of the date of the
15 filing of nomination papers, and that the candidate is a
16 registered voter in the district in which election is sought.
17 The clerk for the county that includes the district in which
18 election is sought shall provide to the commission the
19 information needed to make the verification, including the
20 names, addresses, dates of birth, and signatures of registered
21 voters in that district.



1 (b) The commission shall issue a decision to certify or
2 deny certification of a candidate as a comprehensive
3 publicly-funded candidate within ten business days following
4 receipt of the candidate's completed application for
5 certification for the receipt of comprehensive public funds.

6 (c) After a candidate is certified, the candidate's
7 certification shall apply to both the primary and general
8 elections.

9 (d) The certification and all determinations by the
10 commission under this section shall be final and conclusive;
11 provided that they are subject to examination and audit by the
12 commission under section 11-434.

13 **§11-G Comprehensive public funds to be distributed to**
14 **certified candidates.** (a) Each certified candidate who has an
15 opponent in the primary election and an opponent in the general
16 election shall receive the following amounts of public funding,
17 as adjusted pursuant to subsection (d), and distributed at a
18 rate of sixty-seven per cent for the primary election and
19 thirty-three per cent for the general election:



- 1 (1) For the office of governor – \$1,675,000 in the primary
2 election, \$825,000 in the general election, for a
3 maximum of \$2,500,000;
- 4 (2) For the office of lieutenant governor – \$804,000 in
5 the primary election, \$396,000 in the general
6 election, for a maximum of \$1,200,000;
- 7 (3) For the office of state senator – \$67,000 in the
8 primary election, \$33,000 in the general election, for
9 a maximum of \$100,000;
- 10 (4) For the office of state representative – \$33,500 in
11 the primary election, \$16,500 in the general election,
12 for a maximum of \$50,000;
- 13 (5) For the office of Hawaiian affairs – \$26,800 in the
14 primary election, \$13,200 in the general election, for
15 a maximum of \$40,000;
- 16 (6) For the office of mayor of a county with a population
17 of five hundred thousand or more – \$1,541,000 in the
18 primary election, \$759,000 in the general election,
19 for a maximum of \$2,300,000;
- 20 (7) For the office of mayor of a county with a population
21 of no less than 195,000 but no more than 499,999 –



- 1 \$241,200 in the primary election, \$118,800 in the
2 general election, for a maximum of \$360,000;
- 3 (8) For the office of mayor of a county with a population
4 of no less than one hundred fifty thousand but no more
5 than 194,999 – \$402,000 in the primary election,
6 \$198,000 in the general election, for a maximum of
7 \$600,000;
- 8 (9) For the office of mayor of a county with a population
9 of less than one hundred fifty thousand – \$234,500 in
10 the primary election, \$115,500 in the general
11 election, for a maximum of \$350,000;
- 12 (10) For the office of prosecuting attorney of a county
13 with a population of five hundred thousand or more –
14 \$150,750 in the primary election, \$74,250 in the
15 general election, for a maximum of \$225,000;
- 16 (11) For the office of prosecuting attorney of a county
17 with a population of no less than 195,000 but no more
18 than 499,999 – \$26,800 in the primary election,
19 \$13,200 in the general election, for a maximum of
20 \$40,000;



- 1 (12) For the office of prosecuting attorney of a county
2 with a population of no less than one hundred fifty
3 thousand but no more than 194,999 - \$ in the
4 primary election, \$ in the general election,
5 for a maximum of \$;
- 6 (13) For the office of prosecuting attorney of a county
7 with a population of less than one hundred fifty
8 thousand - \$16,750 in the primary election, \$8,250 in
9 the general election, for a maximum of \$25,000;
- 10 (14) For the office of county council of a county with a
11 population of five hundred thousand or more - \$90,450
12 in the primary election, \$44,550 in the general
13 election, for a maximum of \$135,000;
- 14 (15) For the office of county council of a county with a
15 population of no less than 195,000 but no more than
16 499,999 - \$13,400 in the primary election, \$6,600 in
17 the general election, for a maximum of \$20,000;
- 18 (16) For the office of county council of a county with a
19 population of no less than one hundred fifty thousand
20 but no more than 194,999 - \$20,100 in the primary



1 election, \$9,900 in the general election, for a
2 maximum of \$30,000; and
3 (17) For the office of county council of a county with a
4 population of less than one hundred fifty thousand -
5 \$20,100 in the primary election, \$9,900 in the general
6 election, for a maximum of \$30,000.

7 Any certified candidate who is unopposed in the primary election
8 shall receive thirty per cent of the primary election allotment
9 above; provided that the certified candidate shall have a
10 general election opponent. Certified candidates who are
11 unopposed in the general election shall receive none of the
12 general election allotment above.

13 (b) Upon the certification for comprehensive public
14 funding, the commission shall direct the comptroller to
15 distribute the public funds allowed by this section from the
16 Hawaii election campaign fund by check or, when possible, by an
17 automatic transfer of funds. Public funds for the primary
18 election shall be distributed to the candidate within twenty
19 days from the date that the candidate's initial application and
20 qualifying contribution statement are approved by the commission



1 and, for the general election, within ten days after the date of
2 the primary election.

3 (c) The commission shall be under no obligation to provide
4 moneys to a certified candidate if moneys in the Hawaii election
5 campaign fund are near depletion as determined by the commission
6 pursuant to section 11-N.

7 (d) The amounts of public funding specified in subsection
8 (a) shall be adjusted by the commission no later than January 15
9 of a general election year in accordance with any change in the
10 consumer price index for all urban consumers as published by the
11 United States Department of Labor, Bureau of Labor Statistics,
12 during the period ending on December 31 in the year preceding
13 the general election year in which the adjustment is to be made.

14 **§11-H Certified candidates; continuing obligation;**
15 **restrictions; penalties.** (a) A certified candidate shall
16 comply with this subpart through the general election campaign
17 period regardless of whether the certified candidate maintains
18 eligibility for public funding in the general election campaign
19 period.

20 (b) Upon certification for comprehensive public funding
21 and until the end of the general election campaign period, a



1 certified candidate shall not accept for campaign purposes any
2 money except public funds issued by the commission.
3 Contributions and loans from any person and any campaign
4 material purchased or held from a date before filing the
5 declaration of intent to seek comprehensive public funds shall
6 not be accepted.

7 (c) Upon certification for comprehensive public funding
8 and until the end of the general election campaign period, a
9 certified candidate shall not expend for campaign purposes any
10 money except public funds issued by the commission. Public
11 funds shall be used only for the purpose of defraying expenses
12 directly related to the certified candidate's campaign during
13 the election campaign period for which the public funds are
14 allocated and shall be in compliance with subpart G. A
15 certified candidate receiving funds under this subpart or the
16 candidate's campaign treasurer shall not transfer any portion of
17 the funds provided under this subpart to any other candidate for
18 another campaign. Public funds shall not be expended outside
19 the applicable campaign period.

20 (d) A certified candidate who is elected to the office
21 sought shall continue to be subject to the contribution and



1 expenditure restrictions of subsections (b) and (c) and shall
2 comply with other provisions of this subpart for the duration of
3 the term in office to which the candidate was elected; provided
4 that if after January 1 of the next general election year an
5 elected certified candidate notifies the commission in writing
6 that the candidate intends to seek office in the next general
7 election and will not apply for comprehensive public funding,
8 the contribution and expenditure restrictions of subsections (b)
9 and (c) shall no longer apply to the candidate concerning the
10 next general election.

11 (e) If a certified candidate withdraws from the election,
12 all unexpended public funds received by the candidate under this
13 subpart shall be returned to the Hawaii election campaign fund
14 within thirty days after withdrawal.

15 (f) A certified candidate who is successful in the primary
16 election may carry over any unexpended public funds to the
17 general election; provided that the certified candidate has an
18 opponent in the general election. If the certified candidate is
19 successful in the general election, the certified candidate
20 shall return all unexpended public funds received by the
21 certified candidate under this subpart to the Hawaii election



1 campaign fund within thirty days after the general election. If
2 the certified candidate does not have an opponent in the general
3 election, the certified candidate shall return all unexpended
4 public funds received by the certified candidate under this
5 subpart to the Hawaii election campaign fund within thirty days
6 after the primary election.

7 (g) A certified candidate who is not successful in the
8 primary or general election shall return all unexpended public
9 funds received by the certified candidate under this subpart to
10 the Hawaii election campaign fund within thirty days after the
11 election in which the candidate was not successful.

12 (h) A certified candidate who accepts contributions in
13 violation of this section shall be subject to a fine equal to
14 three times the amount of public funding the candidate received,
15 in addition to any other action, fines, or prosecution under
16 section 11-L and subpart I, or any provision of the Hawaii Penal
17 Code.

18 (i) A certified candidate who makes expenditures of more
19 than one hundred per cent of the public funds allocated to the
20 candidate shall repay to the Hawaii election campaign fund an
21 amount equal to three times the excess expenditures.



1 (j) For the purposes of this section, "excess expenditure"
2 means the amount of public funds spent or obligated to be spent
3 by a comprehensive publicly-funded candidate in excess of one
4 hundred per cent of the allocated funds for a primary election,
5 general election, or both.

6 **§11-I Comprehensive publicly-funded candidates; reporting.**

7 (a) A certified candidate and the certified candidate's
8 committee shall furnish complete campaign records to the
9 commission, including all records of seed money contributions,
10 qualifying contributions, and expenditures. A certified
11 candidate shall fully cooperate with any examination or audit by
12 the commission.

13 (b) The reporting requirements for certified candidates
14 under this subpart, or as may be required by the commission,
15 shall be in addition to any other reporting requirement under
16 this part.

17 (c) All reports required by subpart D, seed money reports,
18 and post-election reports shall be filed with the commission.

19 (d) Seed money reports shall be filed with the commission
20 no later than:

21 (1) January 31 of a general election year;



- 1 (2) April 30 of a general election year; and
- 2 (3) Twenty days before the primary election.
- 3 (e) Each seed money report shall be current through:
 - 4 (1) The six-month period ending on December 31 for the
 - 5 report filed on January 31;
 - 6 (2) The three-month period ending on March 31 for the
 - 7 report filed on April 30; and
 - 8 (3) Thirty days before the primary election for the report
 - 9 filed twenty days before the primary election.
- 10 (f) The seed money reports shall include:
 - 11 (1) The candidate committee's name and address;
 - 12 (2) The amount of cash on hand at the beginning of the
 - 13 reporting period;
 - 14 (3) The reporting period and aggregate total for each of
 - 15 the following categories:
 - 16 (A) Contributions;
 - 17 (B) Expenditures; and
 - 18 (C) Other receipts; and
 - 19 (4) The cash on hand at the end of the reporting period.
- 20 (g) Schedules filed with the seed money reports shall also
- 21 include:



- 1 (1) The amount and date of deposit of each contribution
2 and the name and address of each contributor who makes
3 contributions aggregating more than \$100 in an
4 election period; provided that if all the information
5 is not on file, the contribution shall be returned to
6 the contributor within thirty days of deposit;
- 7 (2) All expenditures made, including the name and address
8 of each payee and the amount, date, and purpose of
9 each expenditure. Expenditures for consultants,
10 advertising agencies and similar firms, credit card
11 payments, salaries, and candidate reimbursements shall
12 be itemized to permit a reasonable person to determine
13 the ultimate intended recipient of the expenditure and
14 its purpose; and
- 15 (3) The amount, date of deposit, and description of other
16 receipts, and the name and address of the source of
17 each of the other receipts.
- 18 (h) Post-election reports shall be submitted to the
19 commission no later than twenty days after a primary election
20 and no later than thirty days after a general election,
21 certifying that all public funds paid to the certified candidate



1 have been used as required by this subpart. The reports shall
2 include information regarding all expenditures made, including
3 the name and address of each payee and the amount, date, and
4 purpose of each expenditure. Expenditures for consultants,
5 advertising agencies and similar firms, credit card payments,
6 salaries, and candidate reimbursements shall be itemized to
7 permit a reasonable person to determine the ultimate intended
8 recipient of the expenditure and its purpose.

9 (i) All certified candidates shall file the reports
10 required under this subpart by electronic means in the manner
11 prescribed by the commission.

12 **§11-J Deposit of, and access to, public funds.** (a) All
13 public funds and seed money received by a certified candidate
14 shall be deposited directly into a depository institution as
15 provided under section 11-351(a) and accessed through the use of
16 debit cards or bank checks. No expenditure of public funds
17 received under this subpart shall be made except by debit cards
18 or checks drawn on the checking account.

19 (b) All reports required under subpart D and this subpart
20 for financial disclosure shall include the most recent,
21 available bank statement from the financial depository



1 institution holding the public funds, as attested to by the
2 candidate committee.

3 **§11-K Deposit of money into the Hawaii election campaign**
4 **fund.** The following moneys shall be deposited into the Hawaii
5 election campaign fund established under section 11-421:

- 6 (1) Appropriations made by the legislature for the
7 purposes of this subpart;
- 8 (2) Excess seed money contributions;
- 9 (3) Qualifying contributions, including any excess
10 qualifying contributions of certified candidates;
- 11 (4) Unspent public funds distributed to any certified
12 candidate;
- 13 (5) Fines levied by the commission for violation of this
14 subpart; and
- 15 (6) Voluntary donations made for the purposes of this
16 subpart.

17 **§11-L Violations; penalties.** Any candidate who knowingly
18 attempts to fraudulently qualify for or receive public funding
19 shall:

- 20 (1) Have the candidate's certification for comprehensive
21 public funding revoked. Upon revocation of



1 certification, the certified candidate shall repay all
2 public funds received within ten business days to the
3 Hawaii election campaign fund; and

4 (2) Be subject to fines and penalties as specifically
5 provided in this subpart and other fines or penalties
6 pursuant to sections 11-410 and 11-412 and the Hawaii
7 Penal Code.

8 **§11-M Forms; receipts; candidate guide and trainings.** The
9 campaign spending commission shall create and publish all forms
10 and receipts required to operate the comprehensive public
11 funding program. The commission shall create and publish a
12 candidates' guide to the comprehensive public funding program
13 that shall include an explanation of rules and procedures
14 applicable to candidates and be updated annually.

15 Before the 2026 primary election, the commission shall
16 provide at least four trainings on the program for candidates
17 and other interested individuals.

18 **§11-N Sufficiency of funding for the comprehensive public**
19 **funding program.** On September 1 of each odd-numbered year
20 before a general election year, the commission shall determine
21 whether there is a minimum of \$ in the Hawaii election



1 campaign fund established under section 11-421 to certify
2 candidates during the next election and provide funding for the
3 comprehensive public funding program authorized under this
4 subpart.

5 Within five business days of the commission's
6 determination, the commission shall publish a notice statewide,
7 pursuant to section 1-28.5, stating whether the comprehensive
8 public funding program will become effective on January 1 of the
9 following year. If there is insufficient funding, this subpart
10 shall be inoperative for that general election year."

11 SECTION 3. Section 11-421, Hawaii Revised Statutes, is
12 amended by amending subsections (b) and (c) to read as follows:

13 "(b) The fund shall consist of:

14 (1) All moneys collected from persons who have designated
15 a portion of their income tax liability to the fund as
16 provided in section 235-102.5(a);

17 (2) Any general fund appropriations; [~~and~~]

18 (3) All moneys designated for deposit into the fund
19 pursuant to section 11-K; and

20 [~~+~~] (4) Other moneys collected pursuant to this part.



1 (c) Moneys in the fund shall be paid to candidates by the
2 comptroller as prescribed in [~~section~~] sections 11-431 and 11-G
3 and may be used for the commission's operating expenses,
4 including staff salaries and fringe benefits."

5 SECTION 4. The campaign spending commission shall submit a
6 progress report of its findings and recommendations, including
7 any proposed legislation, to the legislature no later than forty
8 days prior to the convening of the regular session of 2026 on
9 any statutory amendments that may be necessary to facilitate the
10 implementation of this Act.

11 SECTION 5. The campaign spending commission shall submit a
12 final report of its findings and recommendations, including any
13 proposed legislation, to the legislature no later than forty
14 days prior to the convening of the regular session of 2028 on
15 any statutory amendments that may be necessary to facilitate the
16 implementation of this Act.

17 SECTION 6. There is appropriated out of the general
18 revenues of the State of Hawaii the sum of \$ or so
19 much thereof as may be necessary for fiscal year 2023-2024 for
20 deposit into the Hawaii election campaign fund established under
21 section 11-421, Hawaii Revised Statutes.



1 SECTION 7. There is appropriated out of the Hawaii
2 election campaign fund established under section 11-421, Hawaii
3 Revised Statutes, the sum of \$ or so much thereof as
4 may be necessary for fiscal year 2023-2024 and the same sum or
5 so much thereof as may be necessary for fiscal year 2024-2025 in
6 preparing for the comprehensive public funding of candidates in
7 elections taking place in 2026, including the hiring
8 of full-time equivalent (FTE) temporary positions.

9 The sums appropriated shall be expended by the campaign
10 spending commission for the purposes of this Act.

11 SECTION 8. In codifying the new sections added by
12 section 2 of this Act, the revisor of statutes shall substitute
13 appropriate section numbers for the letters used in designating
14 the new sections in this Act.

15 SECTION 9. Statutory material to be repealed is bracketed
16 and stricken. New statutory material is underscored.

17 SECTION 10. This Act shall take effect on June 30, 3000.



S.B. NO. 1543
S.D. 2
H.D. 2

Report Title:

Comprehensive Public Funding; Campaign Spending Commission;
Report; Appropriations

Description:

Establishes a comprehensive system of public financing for all candidates seeking election to state and county public offices in the State, to begin with the 2026 general election year. Requires the Campaign Spending Commission to submit a progress and final report to the Legislature. Appropriates funds. Effective 6/30/3000. (HD2)

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

