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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 11-384, Hawaii Revised Statutes, is  
2 amended to read as follows:

3           "~~§~~11-384~~§~~ **Disposition of campaign funds; termination**  
4 **of registration.** (a) The candidate committee and candidate who  
5 receives contributions for an election but fails to file  
6 nomination papers for that election shall return residual funds  
7 to the contributors or donate the funds pursuant to subsection  
8 (e) no later than ninety days after the date on which  
9 nominations for that election shall be filed. Funds not  
10 returned to contributors or donated pursuant to subsection (e)  
11 shall escheat to the Hawaii election campaign fund.

12           (b) The candidate committee and candidate who withdraws or  
13 ceases to be a candidate for the election because of death,  
14 disqualification, or other reasons shall return residual funds  
15 to the contributors or donate the funds pursuant to subsection  
16 (e) no later than ninety days after the candidate ceases to be a



1 candidate. Funds not returned to contributors shall escheat to  
2 the Hawaii election campaign fund.

3 (c) A candidate who is elected to office, including a  
4 candidate subject to term limits and a candidate who resigned  
5 before the end of the term of office and the candidate committee  
6 of [~~such a~~] the candidate, may use campaign funds as provided in  
7 section 11-381 [~~or~~], return funds to contributors, or donate  
8 funds pursuant to subsection (e) until four years from the date  
9 of the election for which the campaign funds were received.  
10 Funds that are not used [~~or~~], returned to contributors, or  
11 donated pursuant to subsection (e) shall escheat to the Hawaii  
12 election campaign fund.

13 (d) A candidate who loses an election and the candidate  
14 committee of [~~such a~~] the candidate may use campaign funds as  
15 provided in section 11-381 [~~or~~], return funds to contributors,  
16 or donate funds pursuant to subsection (e) until one year from  
17 the date of the election for which the campaign funds were  
18 received. Funds that are not used [~~or~~], returned to  
19 contributors, or donated pursuant to subsection (e) shall  
20 escheat to the Hawaii election campaign fund.



1        (e) Candidates and candidate committees described in  
2 subsections (a) to (d) may donate the campaign funds specified  
3 in those subsections to the                    fund of the State or to any  
4 county of the State; provided that the purpose of the county  
5 fund is                    .

6        [~~(e)~~] (f) A candidate committee that disposes of campaign  
7 funds pursuant to this section shall terminate its registration  
8 with the commission as provided in section 11-326.

9        [~~(f)~~] (g) Notwithstanding any of the foregoing, campaign  
10 funds may be used for the candidate's next subsequent election  
11 as provided in section 11-381 upon registration for the election  
12 pursuant to section 11-321.

13        [~~(g)~~] (h) The commission shall adopt rules pursuant to  
14 chapter 91 to carry out the purposes of this section."

15        SECTION 2. 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 3. Statutory material to be repealed is bracketed  
19 and stricken. New statutory material is underscored.

20        SECTION 4. This Act shall take effect upon its approval.

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# H.B. NO. 42

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INTRODUCED BY:

*Paul Skay*

JAN 12 2023



# H.B. NO. 42

**Report Title:**

Campaign Finance; Funds; Inactive Campaigns; State; Counties

**Description:**

Authorizes candidates of inactive campaigns and their candidate committees to donate residual campaign funds to the State or the counties.

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

