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# 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 current 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 funding program that is still used by candidates. Comprehensive  
15 public financing programs, sometimes termed "clean elections,"  
16 were established in 1996 in Maine and in 1998 in Arizona and  
17 have since been adopted in Connecticut and New Mexico.

18       The legislature further finds that the statewide  
19 comprehensive public funding program established by this Act is  
20 modeled after the Hawaii county council comprehensive public  
21 funding pilot project that disbursed \$363,060 in public funds to



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

18 Therefore, the purpose of this Act is to:

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



1 county public offices in the State of Hawaii, to begin  
2 with the 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 "Declaration of intent to seek comprehensive public  
8 funding" means the form completed by a candidate seeking public  
9 funding.

10 "Excess expenditure" means the amount of public funds spent  
11 or obligated to be spent by a comprehensive publicly-funded  
12 candidate in excess of one hundred per cent of the allocated  
13 funds for a primary election, general election, or both.

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

3 "Primary election campaign period" means the period in a  
4 primary election year beginning with the certification for  
5 public funding under this subpart and ending on the primary  
6 election day.

7 "Public funding", "public funds", "comprehensive public  
8 funding", or "comprehensive 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 "Qualifying contribution" means a monetary contribution  
12 that complies with section 11-E.

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

16 "Surplus campaign funds" means any campaign contributions  
17 not spent during a prior election period by a candidate who  
18 previously sought election as a privately-funded candidate.

19 **§11-B Establishment.** There is established a comprehensive  
20 public funding program for candidates to state and county public



1 offices in the State, beginning with the 2026 general election  
2 year.

3 **§11-C Qualifications for comprehensive public funding.**

4 (a) A candidate is eligible to seek comprehensive public  
5 funding for the primary election campaign period if the  
6 candidate:

7 (1) Resides in the respective district from which election  
8 is sought as of the date of the filing of nomination  
9 papers for the primary election in the general  
10 election year in which the candidate seeks to be  
11 nominated or elected;

12 (2) Is a registered voter in the district from which  
13 election is sought;

14 (3) Files a declaration of intent to seek comprehensive  
15 public funding with the commission between December 1  
16 of the year prior to the general election year and  
17 thirty days before the closing date to file nomination  
18 papers to run for the office for which the candidate  
19 intends to seek election;

20 (4) Collects qualifying contributions and names in  
21 accordance with section 11-E;



1 (5) Accepts, for the office for which the candidate  
2 intends to seek election, only the following  
3 contributions before applying for certification as a  
4 comprehensive publicly-funded candidate:

5 (A) Seed money contributions, until the candidate  
6 files a declaration of intent to seek  
7 comprehensive public funding; and

8 (B) Qualifying contributions that shall be accepted  
9 only after filing the declaration of intent to  
10 seek comprehensive public funding;

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

13 (7) Agrees to comply with contribution and expenditure  
14 restrictions in accordance with section 11-H and with  
15 other program requirements, if certified pursuant to  
16 this subpart.

17 (b) A candidate is qualified to seek comprehensive public  
18 funding for the general election campaign period if the  
19 candidate:

20 (1) Was certified as a comprehensive publicly-funded  
21 candidate during the primary election campaign period



1 immediately preceding the general election in which  
2 the funds under this subpart are provided;

3 (2) Continues to meet the requirements of subsection (a)  
4 and this subpart; and

5 (3) Received a sufficient number of votes to appear on the  
6 ballot in the general election or is otherwise  
7 certified by the county clerk to be placed on the  
8 ballot in the general election.

9 **§11-D Seed money contributions; limitations on use of seed**  
10 **money; penalties.** (a) The use of seed money shall be limited  
11 to expenditures necessary to determine whether sufficient  
12 support exists for a candidate to run for office as a  
13 comprehensive publicly-funded candidate.

14 (b) The amount of seed money received, expended, or both,  
15 by a candidate seeking eligibility for comprehensive public  
16 funding shall not exceed \$5,000, which shall include any  
17 personal funds, surplus campaign funds, or contributions  
18 received from individuals in an aggregate amount no greater than  
19 \$250 each that the candidate may choose to use. A candidate  
20 seeking eligibility for comprehensive public funding shall not  
21 accept contributions of seed money from any individual whose



1 contributions are prohibited under subpart E. All contributors  
2 whose seed money has been accepted shall be issued a receipt by  
3 the candidate.

4 (c) An individual who uses seed money to determine whether  
5 sufficient support exists to run for office as a comprehensive  
6 publicly-funded candidate who is not already registered with the  
7 commission, within ten days of receiving more than \$100 in seed  
8 money either from contributions or personal funds, shall  
9 register as a candidate by filing the organizational report  
10 required by section 11-321.

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

18 (e) Any unspent seed money shall be deducted from the  
19 amount of comprehensive public funding provided to the certified  
20 candidate; provided that the certified candidate does not donate  
21 the unspent seed money to the Hawaii election campaign fund.



1 (f) A certified candidate who has surplus campaign funds  
2 from a previous election is prohibited from using those funds  
3 for any purpose except as seed money pursuant to this section.  
4 The surplus campaign funds shall be frozen and maintained in a  
5 separate depository account from that established for the public  
6 funds under section 11-J. The candidate shall continue to file  
7 reports on the surplus campaign funds in accordance with subpart  
8 E, or as may otherwise be required by the commission.

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



1 (1) The contributor's printed name, address, signature,  
2 date of birth, and the contributor's acknowledgement  
3 that the contribution was made with the contributor's  
4 personal funds and in support of the candidate and was  
5 not 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 – two hundred fifty  
2             qualifying contributions;
- 3       (4) For the office of state representative – one hundred  
4             twenty-five qualifying contributions;
- 5       (5) For the office of Hawaiian affairs – one 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 not less than 195,000 but not more than 499,999 –  
12            nine hundred qualifying contributions;
- 13       (8) For the office of mayor of a county with a population  
14            of not less than one hundred fifty thousand but not  
15            more than 194,999 – one thousand five hundred  
16            qualifying 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 not less than 195,000 but not  
6 more than 499,999 – one hundred qualifying  
7 contributions;
- 8 (12) For the office of prosecuting attorney of a county  
9 with a population of not less than one hundred fifty  
10 thousand but not more than 194,999 – qualifying  
11 contributions;
- 12 (13) For the office of prosecuting attorney of a county  
13 with a population of less than one hundred fifty  
14 thousand – sixty-three qualifying contributions;
- 15 (14) For the office of county council of a county with a  
16 population of five hundred thousand or more – three  
17 hundred thirty-eight qualifying contributions;
- 18 (15) For the office of county council of a county with a  
19 population of not less than 195,000 but not more than  
20 499,999 – fifty qualifying contributions



1           (16) For the office of county council of a county with a  
2           population of not less than one hundred fifty thousand  
3           but not more than 194,999 – seventy-five qualifying  
4           contributions; and

5           (17) For the office of county council of a county with a  
6           population of less than one hundred fifty thousand –  
7           seventy-five qualifying contributions.

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

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

16          (e) All qualifying contributions collected by a candidate,  
17          whether or not the candidate is certified, shall be deposited  
18          into the Hawaii election campaign fund.

19          (f) The application for certification shall be submitted  
20          to the commission no later than thirty days before the primary  
21          election and shall be signed by the candidate and the



1 candidate's campaign treasurer under penalty of perjury. The  
2 application shall contain any other information deemed necessary  
3 by the commission.

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

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



1 names, addresses, dates of birth, and signatures of registered  
2 voters in that district.

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

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

11 (d) The certification and all determinations by the  
12 commission under this section shall be final and conclusive,  
13 except to the extent that they are subject to examination and  
14 audit by the commission under section 11-434.

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



- 1 (1) For the office of governor – \$1,675,000 in the  
2 primary, \$825,000 in the general, for a maximum of  
3 \$2,500,000;
- 4 (2) For the office of lieutenant governor – \$804,000 in  
5 the primary, \$396,000 in the general, for a maximum of  
6 \$1,200,000;
- 7 (3) For the office of state senator – \$67,000 in the  
8 primary, \$33,000 in the general, for a maximum of  
9 \$100,000;
- 10 (4) For the office of state representative – \$33,500 in  
11 the primary, \$16,500 in the general, for a maximum of  
12 \$50,000;
- 13 (5) For the office of Hawaiian affairs – \$ in the  
14 primary, \$ in the general, for a maximum of  
15 \$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, \$759,000 in the general, for a maximum of  
19 \$2,300,000;
- 20 (7) For the office of mayor of a county with a population  
21 of not less than 195,000 but not more than 499,999 –



- 1           \$241,200 in the primary, \$118,800 in the general, for  
2           a maximum of \$360,000;
- 3           (8) For the office of mayor of a county with a population  
4           of not less than one hundred fifty thousand but not  
5           more than 194,999 – \$402,000 in the primary, \$198,000  
6           in the general, for a maximum of \$600,000;
- 7           (9) For the office of mayor of a county with a population  
8           of less than one hundred fifty thousand – \$234,500 in  
9           the primary, \$115,500 in the general, for a maximum of  
10          \$350,000;
- 11          (10) For the office of prosecuting attorney of a county  
12          with a population of five hundred thousand or more –  
13          \$150,750 in the primary, \$74,250 in the general, for a  
14          maximum of \$225,000;
- 15          (11) For the office of prosecuting attorney of a county  
16          with a population of not less than 195,000 but not  
17          more than 499,999 – \$26,800 in the primary, \$13,200 in  
18          the general, for a maximum of \$40,000;
- 19          (12) For the office of prosecuting attorney of a county  
20          with a population of not less than one hundred fifty



- 1           thousand but not more than 194,999 - \$       in the  
2           primary, \$       in the general, for a maximum of \$       ;
- 3       (13) For the office of prosecuting attorney of a county  
4           with a population of less than one hundred fifty  
5           thousand - \$16,750 in the primary, \$8,250 in the  
6           general, for a maximum of \$25,000;
- 7       (14) For the office of county council of a county with a  
8           population of five hundred thousand or more - \$90,450  
9           in the primary, \$44,550 in the general, for a maximum  
10          of \$135,000;
- 11       (15) For the office of county council of a county with a  
12          population of not less than 195,000 but not more than  
13          499,999 - \$13,400 in the primary, \$6,600 in the  
14          general, for a maximum of \$20,000;
- 15       (16) For the office of county council of a county with a  
16          population of not less than one hundred fifty thousand  
17          or more and less than 195,000 - \$20,100 in the  
18          primary, \$9,900 in the general, for a maximum of  
19          \$30,000; and
- 20       (17) For the office of county council of a county with a  
21          population of less than one hundred fifty thousand -



1           \$20,100 in the primary, \$9,900 in the general, for a  
2           maximum of \$30,000.

3 Any certified candidate who is unopposed in the primary election  
4 shall receive thirty per cent of the primary allotment above,  
5 provided that the certified candidate shall have a general  
6 election opponent. Certified candidates who are unopposed in  
7 the general election shall receive none of the general allotment  
8 above.

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

19           (c) The commission shall be under no obligation to provide  
20 moneys to a certified candidate if moneys in the Hawaii election



1 campaign fund are near depletion as determined by the commission  
2 pursuant to section 11-N.

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

10 **§11-H Certified candidates; continuing obligation;**  
11 **restrictions; penalties.** (a) A certified candidate shall  
12 comply with this subpart through the general election campaign  
13 period regardless of whether the certified candidate maintains  
14 eligibility for public funding in the general election campaign  
15 period.

16 (b) Upon certification for comprehensive public funding  
17 and until the end of the general election campaign period, a  
18 certified candidate shall not accept for campaign purposes any  
19 money except public funds issued by the commission.  
20 Contributions and loans from any person and any campaign  
21 material purchased or held from a date before filing the



1 declaration of intent to seek comprehensive public funds shall  
2 not be accepted.

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

16 (d) A certified candidate who is elected to the office  
17 sought shall continue to be subject to the contribution and  
18 expenditure restrictions of subsections (b) and (c) and shall  
19 comply with other provisions of this subpart for the duration of  
20 the term in office to which the candidate was elected; provided  
21 that if after January 1 of the next general election year an



1 elected certified candidate notifies the commission in writing  
2 that the candidate intends to seek office in the next general  
3 election and will not apply for comprehensive public funding,  
4 the contribution and expenditure restrictions of subsections (b)  
5 and (c) shall no longer apply to the candidate concerning the  
6 next general election.

7 (e) If a certified candidate withdraws from seeking the  
8 nomination for or from the election, all unexpended public funds  
9 received by the candidate under this subpart shall be returned  
10 to the Hawaii election campaign fund within thirty days after  
11 withdrawal.

12 (f) A certified candidate who is successful in the primary  
13 election may carry over any unexpended public funds to the  
14 general election; provided that the certified candidate has an  
15 opponent in the general election. If the certified candidate is  
16 successful in the general election, the certified candidate  
17 shall return all unexpended public funds received by the  
18 certified candidate under this subpart to the Hawaii election  
19 campaign fund within thirty days after the general election. If  
20 the certified candidate does not have an opponent in the general  
21 election, the certified candidate shall return all unexpended



1 public funds received by the certified candidate under this  
2 subpart to the Hawaii election campaign fund within thirty days  
3 after the primary election.

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

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

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

19 **§11-I Comprehensive publicly-funded candidates; reporting.**

20 (a) A certified candidate and the certified candidate's  
21 committee shall furnish complete campaign records to the



1 commission, including all records of seed money contributions,  
2 qualifying contributions, and expenditures. A certified  
3 candidate shall fully cooperate with any audit or examination by  
4 the commission.

5 (b) The reporting requirements for certified candidates  
6 under this subpart, or as may be required by the commission,  
7 shall be in addition to any other reporting requirement under  
8 this part.

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

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

- 13 (1) January 31 of a general election year;  
14 (2) April 30 of a general election year; and  
15 (3) Twenty days prior to the primary election.

16 (e) Each report shall be current through:

- 17 (1) The six-month period ending on December 31 for the  
18 report filed on January 31;  
19 (2) The three-month period ending on March 31 for the  
20 report filed on April 30; and



- 1 (3) Thirty days prior to the primary election for the  
2 report filed twenty days before the primary election.
- 3 (f) The seed money reports shall include:
- 4 (1) The candidate committee's name and address;
- 5 (2) The amount of cash on hand at the beginning of the  
6 reporting period;
- 7 (3) The reporting period and aggregate total for each of  
8 the following categories:
- 9 (A) Contributions;
- 10 (B) Expenditures; and
- 11 (C) Other receipts; and
- 12 (4) The cash on hand at the end of the reporting period.
- 13 (g) Schedules filed with the seed money reports shall also  
14 include:
- 15 (1) The amount and date of deposit of each contribution  
16 and the name and address of each contributor who makes  
17 contributions aggregating more than \$100 in an  
18 election period; provided that if all the information  
19 is not on file, the contribution shall be returned to  
20 the contributor within thirty days of deposit;



1           (2) All expenditures made, including the name and address  
2           of each payee and the amount, date, and purpose of  
3           each expenditure. Expenditures for consultants,  
4           advertising agencies and similar firms, credit card  
5           payments, salaries, and candidate reimbursements shall  
6           be itemized to permit a reasonable person to determine  
7           the ultimate intended recipient of the expenditure and  
8           its purpose; and

9           (3) The amount, date of deposit, and description of other  
10          receipts, and the name and address of the source of  
11          each of the other receipts.

12          (h) Post-election reports shall be submitted to the  
13          commission no later than twenty days after a primary election  
14          and no later than thirty days after a general election,  
15          certifying that all public funds paid to the certified candidate  
16          have been used as required by this subpart. The reports shall  
17          include information regarding all expenditures made, including  
18          the name and address of each payee and the amount, date, and  
19          purpose of each expenditure. Expenditures for consultants,  
20          advertising agencies and similar firms, credit card payments,  
21          salaries, and candidate reimbursements shall be itemized to



1 permit a reasonable person to determine the ultimate intended  
2 recipient of the expenditure and its purpose.

3 (i) All certified candidates shall file the reports  
4 required under this subpart by electronic means in the manner  
5 prescribed by the commission.

6 **§11-J Deposit of, and access to, public funds.** (a) All  
7 public funds and seed money received by a certified candidate  
8 shall be deposited directly into a depository institution as  
9 provided under section 11-351(a) and accessed through the use of  
10 debit cards and bank checks. No expenditure of public funds  
11 received under this subpart shall be made except by debit cards  
12 or checks drawn on such checking account.

13 (b) All reports required under subpart D and this subpart  
14 for financial disclosure shall include the most recent,  
15 available bank statement from the financial depository holding  
16 the public funds, as attested to by the candidate's committee.

17 **§11-K Deposit of money into the Hawaii election campaign**  
18 **fund.** The following moneys shall be deposited into the Hawaii  
19 election campaign fund established under section 11-421:

20 (1) Appropriations made by the legislature for the  
21 purposes of this subpart;



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

10           **§11-L Violations; penalties.** Any candidate who knowingly  
 11 attempts to fraudulently qualify for or receive public funding  
 12 shall:

- 13           (1) Have the candidate's certification for comprehensive
- 14                 public funding revoked. Upon revocation of
- 15                 certification, the certified candidate shall repay all
- 16                 public funds received within ten business days to the
- 17                 Hawaii election campaign fund; and
- 18           (2) Be subject to fines and penalties as specifically
- 19                 provided in this subpart and other fines or penalties
- 20                 pursuant to sections 11-410 and 11-412 and the Hawaii
- 21                 penal code.



1           **§11-M Forms; receipts; candidate guide and trainings.** The  
2 campaign spending commission shall create and publish all forms  
3 and receipts required to operate the comprehensive public  
4 funding program. The commission shall create and publish a  
5 candidates' guide to the comprehensive public funding program  
6 that shall include an explanation of rules and procedures  
7 applicable to candidates and shall be updated annually.

8           Before the 2026 primary election, the commission shall  
9 provide at least four trainings on the program for candidates  
10 and other interested individuals.

11           **§11-N Sufficiency of funding for the comprehensive public**  
12 **funding program.** On September 1 of each odd-numbered year  
13 before a general election year, the commission shall determine  
14 whether there is a minimum of \$30,000,000 in the Hawaii election  
15 campaign fund established under section 11-421 to certify  
16 candidates during the next election and provide funding for the  
17 comprehensive public funding program authorized under this  
18 subpart.

19           Within five business days of the commission's  
20 determination, the commission shall publish a notice statewide,  
21 pursuant to section 1-28.5, stating whether the comprehensive



1 public funding program shall become effective on January 1 of  
2 the following year. If there is insufficient funding, this  
3 subpart shall be inoperative for that general election year."

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

6 "(b) The fund shall consist of:

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

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

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

13 [~~(3)~~] (4) Other moneys collected pursuant to this part.

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

18 SECTION 4. The campaign spending commission shall submit a  
19 progress report of its findings and recommendations, including  
20 any proposed legislation, to the legislature no later than forty  
21 days prior to the convening of the regular session of 2026 on



1 any statutory amendments that may be necessary to facilitate the  
2 implementation of this Act.

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

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

14 The sum appropriated shall be expended by the campaign  
15 spending commission for the purposes of this Act.

16 SECTION 7. There is appropriated out of the Hawaii  
17 election campaign fund established under section 11-421, Hawaii  
18 Revised Statutes, the sum of \$ or so much thereof as may  
19 be necessary for fiscal year 2023-2024 and the same sum or so  
20 much thereof as may be necessary for fiscal year 2024-2025 in  
21 preparing for the comprehensive public funding of candidates in



1 elections taking place in 2026, including the hiring of two  
2 full-time equivalent (2.0 FTE) temporary positions.

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

5 SECTION 8. In codifying the new sections added by  
6 section 2 of this Act, the revisor of statutes shall substitute  
7 appropriate section numbers for the letters used in designating  
8 the new sections in this Act.

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

11 SECTION 10. This Act shall take effect on March 22, 2075.



**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 of Hawaii, 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. Takes effect 03/22/2075. (SD2)

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

