

JAN 18 2024

A BILL FOR AN ACT

RELATING TO CAMPAIGN CONTRIBUTIONS.

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

1 SECTION 1. Section 11-355, Hawaii Revised Statutes, is
2 amended to read as follows:
3 " [f]§11-355 [f] Contributions by state [~~and~~] or county
4 contractors, state or county grantees, officers or immediate
5 family members of state or county contractors, officers or
6 immediate family members of state or county grantees;
7 prohibited. (a) It shall be unlawful for any person who enters
8 into any contract with the State, any of the counties, or any
9 department or agency thereof either for the rendition of
10 personal services, the buying of property, or furnishing of any
11 material, supplies, or equipment to the State, any of the
12 counties, any department or agency thereof, or for selling any
13 land or building to the State, any of the counties, or any
14 department or agency thereof, if payment for the performance of
15 the contract or payment for material, supplies, equipment, land,
16 property, or building is to be made in whole or in part from
17 funds appropriated by the legislative body, at any time between



1 the execution of the contract through the completion of the
2 contract, to:

3 (1) Directly or indirectly make any contribution, or
4 promise expressly or impliedly to make any
5 contribution to any candidate committee or
6 noncandidate committee, or to any candidate or to any
7 person for any political purpose or use; or

8 (2) Knowingly solicit any contribution from any person for
9 any purpose during any period.

10 (b) It shall be unlawful for any officer or immediate
11 family member of any state or county contractor under subsection
12 (a), at any time between the execution of the contract through
13 the completion of the contract pursuant to subsection (a), to
14 directly or indirectly make any contribution to any candidate
15 committee or noncandidate committee.

16 (c) It shall be unlawful for any person who receives a
17 grant or subsidy from the State pursuant to chapter 42F, or from
18 a county pursuant to a county charter or code, at any time
19 between the execution of the contract through the completion of
20 the contract for the grant or subsidy to:



1 (1) Directly or indirectly make any contribution, or
2 promise expressly or impliedly to make any
3 contribution to any candidate committee or
4 noncandidate committee, or to any candidate or to any
5 person for any political purpose or use; or

6 (2) Knowingly solicit any contribution from any person for
7 any purpose during any period.

8 (d) It shall be unlawful for any officer or immediate
9 family member of a state or county grantee under subsection (c),
10 at any time between the execution of the contract through the
11 completion of the contract for the grant or subsidy pursuant to
12 subsection (c), to directly or indirectly make any contribution
13 to any candidate committee or noncandidate committee.

14 (f) Any candidate, candidate committee, or noncandidate
15 committee receiving a contribution made unlawful by this section
16 shall return the unlawful contribution to the contributor within
17 thirty calendar days of receipt. If any unlawful contribution
18 is not returned to the contributor within thirty calendar days
19 of receipt, the unlawful contribution shall escheat to the
20 Hawaii election campaign fund.



1 [~~e~~] (g) For purposes of this section, "completion of the
2 contract" means that the parties to the government contract have
3 either terminated the contract prior to completion of
4 performance or fully performed the duties and obligations under
5 the contract, no disputes relating to the performance and
6 payment remain under the contract, and all disputed claims have
7 been adjudicated and are final."

8 SECTION 2. Section 11-364, Hawaii Revised Statutes, is
9 amended by amending subsection (a) to read as follows:

10 "(a) Any candidate, candidate committee, or noncandidate
11 committee that receives in the aggregate more than the
12 applicable contribution limit in section 11-357, 11-358, 11-359,
13 or 11-360 shall return any excess contribution to the
14 contributor within thirty calendar days of receipt of the excess
15 contribution. Any candidate, candidate committee, or
16 noncandidate committee that receives in the aggregate more than
17 the applicable contribution limit in section 11-362 shall return
18 any excess contribution to the contributor within thirty
19 calendar days of the end of the election period; provided that
20 the candidate, candidate committee, or noncandidate committee
21 may choose which contributions to return. Any excess



1 contribution not returned to the contributor within thirty
2 calendar days shall escheat to the Hawaii election campaign
3 fund."

4 SECTION 3. This Act does not affect rights and duties that
5 matured, penalties that were incurred, and proceedings that were
6 begun before its effective date.

7 SECTION 4. Statutory material to be repealed is bracketed
8 and stricken. New statutory material is underscored.

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

10

INTRODUCED BY: 
By Request



S.B. NO. 2214

Report Title:

Campaign Spending Commission Package; State or County Contractors; State or County Grantees; Officers; Immediate Family Members; Prohibited Contributions.

Description:

Prohibits state or county grantees, officers and immediate family members of state or county contractors, and officers and immediate family members of state or county grantees, from contributing to candidate committees or noncandidate committees for the duration of the contract. Requires candidates, candidate committees, or noncandidate committees to return any unlawful contribution to the contributor within 30 calendar days of receipt. Provides that if any unlawful contribution is not returned to the contributor within 30 calendar days, the unlawful contribution shall escheat to the Hawaii Election Campaign Fund.

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

