
A BILL FOR AN ACT

RELATING TO CAMPAIGN CONTRIBUTIONS.

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

SECTION 1. Section 11-355, Hawaii Revised Statutes, is amended to read as follows:

"[+]§11-355[+] Contributions by state [and] or county contractors, officers, senior employees, consultants, or immediate family members of state or county contractors;

prohibited. (a) It shall be unlawful for any person who enters into any contract with the State, any of the counties, or any department or agency thereof either for the rendition of personal services, the buying or leasing of property, or furnishing of any material, supplies, or equipment to the State, any of the counties, any department or agency thereof, or for selling any land or building to the State, any of the counties, or any department or agency thereof, if payment for the performance of the contract or payment for material, supplies, equipment, land, property, or building is to be made in whole or in part from funds appropriated by the legislative body, at any



1 time between the execution of the contract through the
2 completion of the 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, senior employee,
11 consultant, or immediate family member of any state or county
12 contractor under subsection (a), at any time between the
13 execution of the contract through the completion of the contract
14 pursuant to subsection (a), to directly or indirectly make any
15 contribution to any candidate committee or noncandidate
16 committee.

17 ~~[(b)]~~ (c) Except as provided in ~~[subsection (a),]~~
18 subsections (a) and (b), this section does not prohibit or make
19 unlawful the establishment or administration of, or the
20 solicitation of contributions to, any noncandidate committee by
21 any person other than the state or county contractor for the



1 purpose of influencing the nomination for election, or the
2 election of any person to office.

3 (d) Any candidate, candidate committee, or noncandidate
4 committee receiving a contribution made unlawful by this section
5 shall return the unlawful contribution to the contributor within
6 thirty days of receipt. If any unlawful contribution is not
7 returned to the contributor within thirty days of receipt, the
8 unlawful contribution shall escheat to the Hawaii election
9 campaign fund.

10 [~~(e)~~] (e) For purposes of this section, "completion of the
11 contract" means that the parties to the government contract have
12 either terminated the contract prior to completion of
13 performance or fully performed the duties and obligations under
14 the contract, no disputes relating to the performance and
15 payment remain under the contract, and all disputed claims have
16 been adjudicated and are final."

17 SECTION 2. This Act does not affect rights and duties that
18 matured, penalties that were incurred, and proceedings that were
19 begun before its effective date.

20 SECTION 3. Statutory material to be repealed is bracketed
21 and stricken. New statutory material is underscored.



H.B. NO. 765

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

2

INTRODUCED BY: *Debra A. Seletti*

JAN 17 2025



H.B. NO. 765

Report Title:

State or County Contractors; Officers; Senior Employees;
Consultants; Immediate Family Members; Prohibited Contributions

Description:

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

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