

---

# A BILL FOR AN ACT

---

RELATING TO SUPER PACS.

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

1       SECTION 1. The legislature finds that large political  
2 action committees or Super PACs, known as independent  
3 expenditure committees in Hawaii, are noncandidate committees  
4 that may raise unlimited sums of money from corporations,  
5 unions, associations, and individuals, then spend unlimited sums  
6 to overtly advocate for or against political candidates. The  
7 only conditions placed on Super PACs are a prohibition against  
8 donating money directly to political candidates and a  
9 requirement that their spending must not be coordinated with  
10 that of the candidates they benefit. The influence of Super PAC  
11 spending in the State's electoral process remains a significant  
12 and pressing concern. The legislature further finds that to  
13 ensure that Hawaii voters are able to meaningfully participate  
14 in elections, the information and resources available to  
15 candidates and voters should be fair, transparent, and easily  
16 accessible.



1       The purpose of this Act is to reduce the influence of  
2 noncandidate committee spending in politics, prevent the spread  
3 of misinformation, and increase election transparency by:

4       (1) Assessing a fee based on the total expenditures or  
5 disbursements made by noncandidate committees within a  
6 calendar year;

7       (2) Establishing a process for verification and review of  
8 proposed electioneering communications; and

9       (3) Establishing a minimum font size for certain  
10 information that must be included on campaign  
11 advertisements.

12       SECTION 2. Chapter 11, Hawaii Revised Statutes, is amended  
13 by adding two new sections to part XIII to be appropriately  
14 designated and to read as follows:

15       "§11-       Noncandidate committee; expenditures or  
16 disbursements fee. (a) Each noncandidate committee that makes  
17 expenditures or disbursements in any calendar year shall be  
18 assessed the following fee based on the total expenditures or  
19 disbursements made in a calendar year:

20       (1)        per cent if the total expenditures or  
21 disbursements are under \$       ;



(2) \_\_\_\_\_ per cent if the total expenditures or  
disbursements are at least \$ \_\_\_\_\_ but less than  
\$ \_\_\_\_\_ ;

(3) \_\_\_\_\_ per cent if the total expenditures or  
disbursements are at least \$ \_\_\_\_\_ but less than  
\$ \_\_\_\_\_ ;

(4) \_\_\_\_\_ per cent if the total expenditures or  
disbursements are at least \$ \_\_\_\_\_ but less than  
\$ \_\_\_\_\_ ;

(5) \_\_\_\_\_ per cent if the total expenditures or  
disbursements are at least \$ \_\_\_\_\_ but less than  
\$ \_\_\_\_\_ ; and

(6) \_\_\_\_\_ per cent if the total expenditures or  
disbursements are more than \$ \_\_\_\_\_ .

(b) The fee shall be deposited into the Hawaii election  
campaign fund under section 11-421.

(c) The campaign spending commission shall adopt rules  
pursuant to chapter 91 for the purposes of this section.

**§11- Noncandidate committees; electioneering**  
**communications; public review.** (a) Each noncandidate committee  
that makes an expenditure or a disbursement for electioneering



1 communications in any calendar year shall submit the proposed  
2 electioneering communications to the office of  
3 elections        days before the proposed disclosure date.

4        (b) The office of elections shall arrange for the  
5 electioneering communications content to be verified for  
6 accuracy by a neutral third-party organization within        days  
7 of submission.

8        (c) If errors in the electioneering communications are  
9 detected by a neutral third-party organization pursuant to  
10 subsection (b), the noncandidate committee may cure the errors  
11 in the electioneering communications and submit the amended  
12 electioneering communications to the office of elections  
13 within        days after notification of the errors by the neutral  
14 third-party organization.

15        (d) The office of elections may provide a public platform  
16 for proposed electioneering communications to be reviewed and  
17 verified for accuracy.

18        (e) As used in this section "disclosure date" has the same  
19 meaning as in section 11-341."

20        SECTION 3. Section 11-391, Hawaii Revised Statutes, is  
21 amended by amending subsection (a) to read as follows:



1       "(a) Any advertisement that is broadcast, televised,  
2       circulated, published, distributed, or otherwise communicated,  
3       including by electronic means, shall:

4       (1) Contain the name and address of the candidate,  
5       candidate committee, noncandidate committee, or other  
6       person paying for the advertisement~~[+]~~, in a font size  
7       no smaller than one-half inch if applicable;

8       (2) Contain a notice in a prominent location stating  
9       either that:

10       (A) The advertisement has the approval and authority  
11       of the candidate; provided that an advertisement  
12       paid for by a candidate, candidate committee, or  
13       ballot issue committee does not need to include  
14       the notice; or

15       (B) The advertisement has not been approved by the  
16       candidate; and

17       (3) Not contain false information about the time, date,  
18       place, or means of voting."

19       SECTION 4. Statutory material to be repealed is bracketed  
20       and stricken. New statutory material is underscored.

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



H.B. NO. 77/

1

INTRODUCED BY: *Della A. Beloffi*

JAN 17 2025



# H.B. NO. 771

**Report Title:**

Campaign Spending Commission; Elections; Super PACs;  
Noncandidate Committees; Electioneering Communications;  
Accuracy; Advertisements

**Description:**

Establishes a fee based on the total expenditures or disbursements made by noncandidate committees within a calendar year. Establishes a process for verification and review of proposed electioneering communications. Establishes a minimum font size for certain information that must be included on campaign advertisements.

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

