



**WRITTEN TESTIMONY OF  
THE DEPARTMENT OF THE ATTORNEY GENERAL  
KA 'OIHANA O KA LOIO KUHINA  
THIRTY-THIRD LEGISLATURE, 2026**

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**ON THE FOLLOWING MEASURE:**

S.B. NO. 2471, S.D. 1, RELATING TO THE POWERS OF ARTIFICIAL PERSONS.

**BEFORE THE:**

SENATE COMMITTEE ON JUDICIARY

**DATE:** Friday, February 27, 2026

**TIME:** 10:30 a.m.

**LOCATION:** State Capitol, Room 016

**TESTIFIER(S):** **WRITTEN TESTIMONY ONLY.**

(For more information, contact Ashley M. Tanaka,  
Deputy Attorney General, at (808)586-1180)

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Chair Rhoads and Members of the Committee:

The Department of the Attorney General provides the following comments.

The purpose of this bill is to restrict the power of "artificial persons" created under state law by prohibiting corporations and other covered entities from spending money or contributing anything of value to influence elections or ballot measures. The bill effectuates this restriction by withdrawing certain state-conferred charter privileges, designating election activity and ballot-issue activity as ultra vires and void, and ordering the forfeiture of all charter privileges as the penalty for exercising prohibited political spending powers.

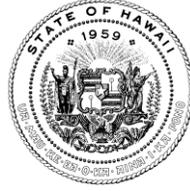
It is the Department of the Attorney General's duty to advise on the constitutionality of legislation. While a great many Americans strongly disagree with the U.S. Supreme Court's holding in *Citizens United v. Fed. Election Comm'n*, 558 U.S. 310 (2010), under our federal system of government, it is our duty to state that this opinion remains the law of the land, irrespective of its merits (or lack thereof). In *Citizens United*, the United States Supreme Court rejected the argument that political speech of corporations or other associations should be treated differently under the First Amendment simply because such associations are not "natural persons." See *id.* at 343 ("The Court has thus rejected the argument that political speech of corporations or other associations should be treated differently under the First Amendment simply

because such associations are not 'natural persons'."). The underlying rationale for the Court's holding that corporations have the right to speech through political campaign donations is that they are "associations" of individuals. The Court further explained that by banning corporate expenditures, "certain disfavored associations of citizens—those that have taken on the corporate form—are penalized for engaging in the same political speech." *Id.* at 356. Although states have the authority to determine what powers a corporation has, if a state tries to remove a corporation's power to engage in election activity or ballot-issue activity, under *Citizens United*, courts will likely view it as a state attempting to take away a corporation's right to speak.

This bill also removes only speech related to elections and ballot initiatives from a corporation's powers, while permitting a corporation to retain its ability to speak in other contexts. Such a content-based speech restriction that disfavors political speech is generally subject to challenge under the First Amendment.

This bill may also face an unconstitutional conditions challenge, in effectively permitting a corporation to keep certain state-granted benefits only if it refrains from engaging in election activity or ballot-issue activity, activities that a normal corporation is otherwise entitled to engage in under *Citizens United*.

Thank you for the opportunity to provide comments.



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAI'I  
OFFICE OF THE DIRECTOR  
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DEAN I HAZAMA  
DEPUTY DIRECTOR | KA HOPE LUNA HO'OKELE

**Testimony of the Department of Commerce and Consumer Affairs**

**Before the  
Senate Committee on Judiciary  
Friday, February 27, 2026  
10:30 a.m.  
Via Videoconference**

**On the following measure:  
S.B. 2471 S.D. 1, RELATING TO THE POWERS OF ARTIFICIAL PERSONS**

Chair Rhoads and Members of the Committee:

My name is Ty Nohara, and I am the Commissioner of Securities and head of the Department of Commerce and Consumer Affairs' (Department) Business Registration Division (BREG). The Department offers comments on this bill.

The purpose of this bill is to reaffirm that artificial persons, such as corporations, limited liability companies, partnerships, and associations, are entities created under state law and possess only those powers that are necessary or convenient to carry out lawful activities, which do not include election or ballot-issue activity. To that end, this bill seeks to amend chapters 414, 414D, 425, 425E, and 428 of the Hawaii Revised Statutes (HRS), and to add a new chapter 429,<sup>1</sup> to revoke all prior grants of corporate and entity powers and regrant specific powers, excluding the power to spend money or contribute anything of value to influence elections or ballot measures. This bill also provides that the Department shall adopt rules for administrative forfeiture,

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<sup>1</sup> The proposed HRS chapter 429 will apply to unincorporated nonprofit associations,

reinstatement upon disgorgement and certification of compliance, and related civil enforcement.

1. BREG's current authority is to register business entities and to file the documents delivered by an entity, if (a) the documents meet the statutory requirements for filing, and (b) the entity pays the required fees. Thus, BREG's duties are purely ministerial, and BREG has no regulatory or enforcement authority over an entity's activities. That task is the responsibility of other governmental bodies and regulatory agencies. Instead, under the HRS chapters pertaining to each type of business entity, BREG has limited authority only to terminate an entity's registration, and only for specific grounds. For example, BREG may administratively dissolve a business entity that has failed to: a) pay the required fees, b) file its annual report for a period of two years, c) appoint and maintain an agent for service of process, or d) file a statement of a change in the name or address of the agent.
2. If BREG's duties are to be expanded pursuant to this bill, new rules must also be adopted, procedures must be implemented, and BREG's existing forms for each type of entity must be revised, and/or new forms created.
3. BREG handles a high volume of documents on a daily basis. While the user experience appears simple and straightforward, the myriad documents and transactions that BREG processes are supported by a highly complex "back end" management and documents processing system. The civil enforcement and other duties contemplated by this bill will not only require revisions to BREG's forms, but also necessitate system adjustments related to the revised or new forms. Therefore, BREG respectfully requests an appropriation to contract for the needed services.
4. This bill will require the establishment of new positions to perform regulatory and enforcement duties. Thus, an appropriation will also be needed to hire and train additional staff.

5. Based on the need to adopt administrative rules, establish procedures, revise existing forms and/or prepare new forms, complete the necessary system adjustments, and create and fill new positions, BREG respectfully requests that this bill's effective date be deferred to a later date beyond 1/1/2027.

Thank you for the opportunity to testify on this bill.



Protect Democracy

Move Forward

[www.indivisiblehawaii.org](http://www.indivisiblehawaii.org)

[info@indivisiblehawaii.org](mailto:info@indivisiblehawaii.org)

**To:** Chair Rhoads, Vice Chair Gabbard, and Members of the Committee

**Hearing Date/Time:** 02-27-26 10:30 AM

**Place:** Hawaii State Capitol, Conference Room 016

**Re:** Testimony in STRONG SUPPORT of SB2471

Dear Chair Rhoads, Vice Chair Gabbard, and Members of the Committee,

On behalf of Indivisible Hawai'i, I thank you for this opportunity to testify in strong support of SB2471, which clarifies that the powers granted to artificial persons do not include spending money or anything of value to influence elections or ballot measures. This bill does not restrict any individual's right to speak, organize, or participate in democracy. It simply defines the limits of what state-created entities may do as entities.

For more than two decades corporations have spent unlimited money in political campaigns and created an environment that led to Super PACs flooding and tainting our elections with "dark money". It is long past time for these practices to stop, and by focusing on the state-granted **powers** rather than **rights** for artificial persons, outcomes of elections can again be determined by "we the people" as declared in the U.S. Constitution.

Again, we thank you for supporting SB2471, which will help restore clarity, accountability, and confidence in our democratic system.

Sincerely,

Marlene Thom

Indivisible Hawai'i Secure Elections Team

*The mission of the 14-chapter Indivisible Hawai'i Statewide Network (IHSN) is to protect Hawai'i and democracy by defending civil rights, communities and values, most importantly, Hawai'i's Constitutionally protected spirit of Aloha. In October 2025, IHSN with other partners turned out over 22,000 residents on all major islands to say No Dictators! and to stand up for democracy. This call-to-action was part of Indivisible national's mobilization of more than 7 million across the country as the voice of the people, committed to election integrity and to evolving as a place of equity, opportunity and peace.*



## TESTIMONY IN STRONG SUPPORT OF SB2471 SD1, RELATING TO THE POWERS OF ARTIFICIAL PERSONS

### SENATE COMMITTEE ON JUDICIARY

February 27, 2025

#### To the Honorable Chair and Members of the Committee:

The Democratic Party of Hawai'i **strongly supports SB2471 SD1**. This measure represents a vital step in protecting the integrity of Hawaii's elections and asserting that our democracy belongs to living, breathing people—not artificial legal entities.

#### Hawaii's Legacy of Leadership

Hawai'i has a proud history of leading the nation on this issue. In April 2010—just months after the *Citizens United v. FEC* ruling—**Hawaii became the first state in the nation to pass a legislative resolution (HCR 282)** calling for a U.S. Constitutional Amendment to overturn that decision. Sixteen years later, the "pay-to-play" culture in politics has only deepened. By passing SB2471 SD1, this body has the opportunity to move from a call for action to a direct exercise of its sovereign power.

#### Corporations are "Artificial Persons"

As SB2471 SD1 correctly identifies, a corporation is a "legal fiction" created by the State of Hawaii.

- **Creatures of the State:** Because corporations are chartered by the State to facilitate commerce, the State has the **plenary authority** to define their powers.
- **Rights vs. Powers:** Human beings have inherent, God-given rights. Corporations have only the powers granted to them by law. Political participation is a right of citizenship, not a corporate power.

#### Protecting the Voice of the People

- **Combating Corruption:** *Citizens United* has allowed massive amounts of "dark money" to drown out the voices of ordinary Hawaii residents.
- **The "One Person, One Vote" Principle:** If money is equated with speech, then those with the most wealth have the loudest voices. SB2471 SD1 restores the democratic balance

by ensuring that the power to influence our elections rests with voters, not with corporate boardrooms.

- **Sovereignty:** Our island state is particularly vulnerable to out-of-state and multinational interests. This bill ensures that Hawai'i's future is decided by its people, protecting us from foreign or external corporate interference.

By passing SB2471 SD1, Hawai'i will once again honor the spirit of HCR 282 and lead the nation in declaring that "We the People" means human beings. We must clarify that the artificial entities we create for business do not have a seat at the table of our self-governance.

Mahalo nui loa for the opportunity to testify in strong support of SB 2471 SD1. Should you have any questions or require further information, please contact the Democratic Party of Hawai'i at [legislation@hawaiidemocrats.org](mailto:legislation@hawaiidemocrats.org).





Committee on Judiciary  
Chair Karl Rhoads, Vice Chair Mike Gabbard  
Friday, February 27, 2026 10:30 AM HST  
Conference Room 016 & Videoconference State Capitol  
SB2471 SD1 – Relating to the Powers of Artificial Persons

TESTIMONY

Gabriela Schneider, Legislative Committee, League of Women Voters of Hawaii

Chair Rhoads, Vice Chair Gabbard, and Committee Members:

**The League of Women Voters of Hawaii supports SB2471, which reaffirms that artificial persons created under Hawaii law possess only those powers that are necessary or convenient to carry out lawful business and charitable or organizational purposes, and that those powers do not include the power to spend money or contribute anything of value to influence elections or ballot measures.** SB2471 would minimize undue corporate influence in Hawaii's elections. We also comment on the need to support the capacity to oversee the implementation of the legislation.

We also welcome the SD1's new legislative finding that draws an explicit parallel to the federally upheld prohibition on 501(c)(3) electioneering. The League has long defended that prohibition and opposed efforts to weaken it. Grounding this bill in that same well-established legal principle strengthens its constitutional footing.

We note with concern that the SD1 removes provisions from the original bill that would have extended these restrictions to foreign corporations transacting business in Hawaii. The League has long prioritized preventing foreign money from influencing American elections. We urge the committee to consider restoring those provisions, or addressing foreign entity activity through companion legislation, to ensure that the protections this bill creates cannot be circumvented by entities incorporated outside the USA.

The League has consistently opposed unlimited corporate political spending. In 2009, we filed an amicus brief against *Citizens United v. FEC* in order to protect elections from the financial power of wealthy corporations. We argued then, and maintain now, that the concentrated economic power of corporations poses a fundamental threat to democratic self-government.

The innovative approach that SB2471 employs of using the state's corporate chartering authority rather than traditional campaign finance regulation aligns with this principled position. If corporate political spending powers are never granted in the first place, they cannot be exercised. This strategy sidesteps the legal barriers that have frustrated campaign finance reform efforts nationwide.

We comment that businesses incorporated in Hawaii will need outreach and education to comply with this legislation. It seems to us that logically this would be assigned to the Department of Commerce and Consumer Protection, along with compliance monitoring. If that is the case, the budget for the Department will need to be increased to accommodate this new responsibility.

We urge passage of this bill.

Thank you for the opportunity to testify.

LEAGUE OF WOMEN VOTERS OF HAWAII  
P.O. Box 235026 ♦ Honolulu, HI 96823  
Voicemail 808.377.6727 ♦ [my.lwv.org/hawaii](http://my.lwv.org/hawaii) ♦ [voters@lwvhi.org](mailto:voters@lwvhi.org)



Testimony Submitted to the  
Senate Committee on Judiciary  
February 27, 2026

By

Tom Moore, Senior Fellow for Democracy Policy  
Center for American Progress

Chair and Members of the Committee,

With respect, the Center for American Progress conveys to you its deep concern regarding the deletion of the foreign-entity provisions from S.B. 2471, S.D.1. We do not understand why this important coverage was removed, and we believe its absence substantially weakens the bill in a way that undermines its core purpose.

To be clear: under Hawai‘i law, a “foreign” corporation means any entity not organized under the laws of this State. That includes corporations formed in other states as well as those formed outside the United States. Delaware corporations, Virginia nonprofits, and other out-of-state entities are therefore “foreign” corporations under Hawai‘i statute. Hawai‘i routinely regulates such entities when they operate within the State and grants them only those powers to operate here that it grants to its domestic entities. That is not unusual; it is standard corporate law.

The deleted language did not merely restate existing law. It deliberately added election and ballot-issue activity directed at Hawai‘i to the list of activities that constitute transacting business in this State. That addition was necessary.

When Hawai‘i’s corporate statutes were originally drafted, corporations were not permitted to engage in unlimited independent political spending in state elections. The modern environment — in which artificial persons may pour unlimited funds into Hawai‘i political contests — did not exist. It is therefore unsurprising that election spending was never included in the statutory framework defining what brings a foreign entity within Hawai‘i’s regulatory jurisdiction.

*Citizens United* fundamentally altered that landscape. If Hawai‘i wishes to prevent artificial persons from using state-conferred privileges to influence its elections, the statute must account for the new reality that *Citizens United* has brought.

The provisions that should be restored are as follows:

Section 6:

§414-42: (e) A foreign corporation that is authorized to transact business, is otherwise transacting business, or holds property in this State is subject to this section. A foreign corporation that directly or indirectly undertakes, finances, or directs election activity or ballot-issue activity in the State shall be conclusively deemed to be transacting business in this State.

Section 10:

§414D-52: (e) A foreign nonprofit corporation that is authorized to transact business, is otherwise transacting business, or holds property in this State is subject to this section. A foreign nonprofit corporation that directly or indirectly undertakes, finances, or directs election activity or ballot-issue activity in the State shall be conclusively deemed to be transacting business in this State.

Section 16:

§425-[ ] (d) A foreign limited liability partnership that directly or indirectly undertakes, finances, or directs election activity or ballot-issue activity in the State shall be conclusively deemed to be transacting business in this State.

Section 18:

§425E-105 (e) A foreign limited partnership that is authorized to transact business, is otherwise transacting business, or holds property in this State is subject to this section. A foreign limited partnership that directly or indirectly undertakes, finances, or directs election activity or ballot-issue activity in the State shall be conclusively deemed to be transacting business in this State.

Section 21:

§429-[ ] (e) A foreign unincorporated nonprofit association that is authorized to transact business, is otherwise transacting business, or holds property in this State is subject to this section. A foreign unincorporated nonprofit association that directly or indirectly undertakes, finances, or directs election activity or ballot-issue activity in the State shall be conclusively deemed to be transacting business in this State.

The Legislature is fully within its authority to define what constitutes transacting business in Hawai‘i. The statute already enumerates numerous activities that trigger registration and regulatory obligations — many of them far less consequential than directing substantial expenditures into Hawai‘i elections. If selling goods, leasing property, or maintaining limited commercial contacts may constitute transacting business, then deliberately injecting unlimited amounts of money into Hawai‘i to alter its governance is at least as significant a connection.

Without the deleted language, the bill effectively disempowers Hawai‘i corporations and foreign corporations that have chosen to register and maintain legitimate business connections to the State, while leaving untouched the most problematic actors: out-of-state 501(c)(4) entities with no meaningful operational presence here whose primary function is to exploit gaps in federal tax enforcement and FEC oversight to funnel anonymous money into Hawai‘i elections.

Restoring these provisions would materially enhance enforceability in two distinct respects. First, by defining election and ballot-issue activity directed at Hawai‘i as transacting business, the statute strengthens the State’s ability to invoke ultra vires doctrine against artificial persons purporting to exercise corporate powers within this jurisdiction. Second, it reinforces the State’s campaign finance framework by clarifying that entities injecting funds into Hawai‘i elections are operating within the State’s regulatory sphere and therefore subject to its political committee and disclosure requirements. In short, the language does not expand the scope of the bill; it makes the existing corporate and election law consequences workable in practice.

Those entities are not incidental participants. They are often structured precisely to avoid accountability. They exist largely to take advantage of permissive federal interpretations of “social welfare” status while directing large sums of dark money into state elections. As drafted, S.D.1 would restrict entities that have accepted Hawai‘i’s corporate privileges, yet allow organizations whose only connection to the State is electioneering to argue they fall outside its reach.

If election spending directed at Hawai‘i does not constitute transacting business, then the artificial persons most aggressively intervening in Hawai‘i politics may claim they are beyond Hawai‘i’s corporate jurisdiction. That result would undermine the central purpose of this measure.

Restoring these provisions does not regulate speech. It defines the jurisdictional reach of Hawai‘i’s corporate law in light of modern political realities. It ensures that artificial persons choosing to intervene in Hawai‘i’s elections are treated as operating within Hawai‘i for purposes of the corporate powers they claim to exercise.

If the goal is to prevent artificial persons from using state-conferred privileges to influence Hawai‘i’s elections, then this coverage is essential.

For these reasons, we respectfully request that the Committee restore the deleted foreign-entity provisions.

Respectfully submitted,

A handwritten signature in black ink that reads "Tom Moore". The signature is written in a cursive style with a long, sweeping horizontal line above the name.

Tom Moore  
Senior Fellow for Democracy Policy  
Center for American Progress

**SB-2471-SD-1**

Submitted on: 2/23/2026 6:24:35 PM

Testimony for JDC on 2/27/2026 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
David Ball	Individual	Support	Written Testimony Only

Comments:

Dear Chair Rhoads and Vice-Chair Gabbard,

I am writing in strong support of SB2471 which seeks to remedy the outsized role of corporate money in our politics. The Citizens United ruling proved disastrous for a democracy rooted in the will of the people, leading to a dangerous imbalance of power in who influences decision-making in our state. Please support this reasonable bulwark to limiting corporate special interests and supporting good governance.

With aloha,

David Ball

Waiālae-Kahala

**SB-2471-SD-1**

Submitted on: 2/23/2026 8:21:02 PM

Testimony for JDC on 2/27/2026 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Younghee Overly	Individual	Support	Written Testimony Only

Comments:

Thank you for hearing SB2471.

a member of Indivisible Hawaii

**SB-2471-SD-1**

Submitted on: 2/23/2026 8:56:10 PM

Testimony for JDC on 2/27/2026 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Tim Huycke	Individual	Support	Written Testimony Only

Comments:

I support SB2471.

**SB-2471-SD-1**

Submitted on: 2/23/2026 9:00:25 PM

Testimony for JDC on 2/27/2026 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Mark Van Horne	Individual	Support	Written Testimony Only

Comments:

I am in strong support of SB2471

This bill clarifies that the powers granted to artificial persons do not include spending money or anything of value to influence elections or ballot measures. This bill does not restrict any individual's right to speak, organize, or participate in democracy. It simply defines the limits of what state-created entities may do as entities.

**SB-2471-SD-1**

Submitted on: 2/23/2026 9:39:44 PM

Testimony for JDC on 2/27/2026 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Cheryl Bellamy	Individual	Support	Written Testimony Only

Comments:

I am in strong support of SB2471 because it helps restore clarity, accountability, and confidence in our democratic system.

It removes the power of corporations, nonprofits, labor unions, and other entities to contribute funds or anything of value to influence candidates, PACs, political parties, or ballot questions.

Mahalo

**SB-2471-SD-1**

Submitted on: 2/23/2026 10:13:32 PM

Testimony for JDC on 2/27/2026 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Gaye Chan	Individual	Support	Written Testimony Only

Comments:

Elections should reflect people, not corporate money. Artificial entities are state-created privileges, not natural rights holders. These bills reassert that Hawai‘i can set boundaries on the powers it grants. Even in a tough legal environment, this is a clear statement that our state should prioritize public trust and fair elections. Individuals can still donate, speak, associate, and participate politically

**SB-2471-SD-1**

Submitted on: 2/24/2026 5:54:32 AM

Testimony for JDC on 2/27/2026 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Michelle Bonk	Individual	Support	Written Testimony Only

Comments:

Please pass this bill. Elections should reflect people, not corporate money.

**SB-2471-SD-1**

Submitted on: 2/24/2026 9:00:25 AM

Testimony for JDC on 2/27/2026 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
James E Raymond	Individual	Support	Written Testimony Only

Comments:

Thank you -- I am a member of Indivisible Windward.

Passage of this bill will show a determination to fight the strangle hold that big,dark money has on Hawai'i and national elections. The AG (Governor) may have reservations because there are bound to be challenges, but we will lose 100% of the fights when we surrender without a fight.

It's time to choose sides - CHOOSE DEMOCRACY!

## **SB-2471-SD-1**

Submitted on: 2/24/2026 9:59:02 AM

Testimony for JDC on 2/27/2026 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Danielle Goren	Individual	Support	Written Testimony Only

### Comments:

Thank you for allowing me to offer this written testimony in strong support of SB2471. As a Lahaina resident and member of Indivisible Hawai'i, I respectfully urge you to pass SB2471, so that Hawai'i can reaffirm that corporations are created under Hawai'i State law, and possess only those powers granted by Hawai'i, and to revoke all prior grants of corporate and entity powers and regrant only those powers that the State determines to be necessary or convenient to conduct lawful business under the Constitution and laws of this State, which do not include the power to spend money or contribute anything of value to influence elections or ballot measures. This exercise of the State's authority over its corporate law is an appropriate and necessary act to render the Supreme Court's decision in *Citizens United v. Federal Elections Commission*,<sup>[1]</sup> irrelevant.<sup>[2]</sup>

In *Citizens United*, the Supreme Court, via 5-4 ruling, held that the First Amendment gives corporations the right to spend unlimited amounts of money to influence elections. In doing so, the Supreme Court opened the floodgates of independent election spending, allowing outside actors to pour exorbitant sums of money into political campaigns across the country, undermining the "bedrock principles like 'one person, one vote' and 'government of, by, and for the people'[]."<sup>[3]</sup>

Not surprisingly, the *Citizens United* decision is wildly unpopular, with the majority of Americans disapproving of it,<sup>[4]</sup> and voters opposing it by a nearly 3-1 margin.<sup>[5]</sup> Despite this, Congress has failed to act to institute any post-*Citizens* reforms or implement a Constitutional amendment, even though in 2014, a majority of the U.S. Senate debated and voted in favor of S.J. Resolution 19, the "Democracy for All Amendment" to the Constitution, but did not achieve the 67 votes required to pass the Senate.<sup>[6]</sup> Significantly, 842 local government resolutions calling for a Constitutional amendment have been passed, 22 States – including Hawai'i – and Washington D.C. have called for a Constitutional amendment, and 121 members of Congress are co-sponsoring legislation to overturn *Citizens United*.<sup>[7]</sup>

As outlined comprehensively in *The Corporate Power Reset That Makes 'Citizens United' Irrelevant*, by Tom Moore,<sup>[8]</sup> Hawai'i has the authority to limit corporate political activity and dark money spending via the definition of the form, limits, and privileges that corporations enjoy within the State, as they are artificial beings, existing only in contemplation of state law.<sup>[9]</sup> Mr. Moore provides a comprehensive analysis of the constitutionality and legality of the state in granting corporate powers, highlighting the difference between legislating campaign finance law and legislating state corporation law. He prudently identifies the fact that "*Citizens United* did

not recognize that corporations possessed their own right to spend in candidate elections. Instead, the court recognized the right of the nonprofit corporation Citizens United, as an association of citizens, to exercise the collected individual rights of the U.S. citizens who gathered to create it.”<sup>[10]</sup> Furthermore, “[t]hrough the Supreme Court did not use these exact terms, *Citizens United* centered on the ability of government to regulate the right of corporations to exercise powers of political speech that the state had granted them.”<sup>[11]</sup> Ultimately, “[t]he sovereign authority to decide which powers states grant to the corporations they charter includes the authority to not grant their corporations the power to spend in politics.”<sup>[12]</sup>

We in Hawai’i are lucky to have representatives and officials who take into account and respect the sentiment of their constituents. Here, you can restore our citizens’ faith in the system and act in furtherance and protection of our fragile democratic constitutional republic. Unchecked corporate political spending is an absolute threat to our democracy, permitting corporations to buy policies antithetical to the common good.<sup>[13]</sup> I ask you to take this critical opportunity to act to affirm Hawai’i’s State corporation law, that corporations are artificial persons created under State law, possessing only that power which the State has granted – powers which do not include the power to spend in elections.

Please, do your part in protecting our democracy, and heed the words of President Abraham Lincoln to satisfy the great task you have been charged with fulfilling, “that government of the people, by the people, for the people, shall not perish from the earth.”<sup>[14]</sup>

I thank you, again, for your time and for dedicating yourself to protecting our democracy.

Respectfully,

Danielle Goren

Lahaina Resident

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<sup>[1]</sup> 558 U.S. 130 (2010).

<sup>[2]</sup> Tom Moore, *The Corporate Power Reset That Makes Citizens United Irrelevant*, Center for American Progress, Sep. 15, 2025, <https://www.americanprogress.org/article/the-corporate-power-reset-that-makes-citizens-united-irrelevant/>.

<sup>[3]</sup> <https://www.citizen.org/article/frequently-asked-questions/>; Daniel I. Weiner, Brennan Center for Justice, ‘*Citizens United*,’ *Explained*, pub. Dec. 12, 2019, updated Jan. 29, 2025, <https://www.brennancenter.org/our-work/research-reports/citizens-united-explained>.

[4] See Ashley Balcerzak, *Study: Most Americans want to kill 'Citizens United' with constitutional amendment*, The Center for Public Integrity, May 10, 2018, <https://publicintegrity.org/politics/study-most-americans-want-to-kill-citizens-united-with-constitutional-amendment/>, discussing University of Maryland School of Public Policy's Program for Public Consultation study, wherein "[t]hree-fourths of survey respondents – including 66 percent of Republicans and 85 percent of Democrats – back a constitutional amendment outlawing *Citizens United*. The study also indicates that most Americans – 88 percent overall – want to reduce the influence large campaign donors wield over lawmakers..." *Id.*

[5] <https://www.citizen.org/article/frequently-asked-questions/>

[6] S.J. Res. 19, A joint resolution proposing an amendment to the Constitution of the United States relating to contributions and expenditures intended to affect elections, 113th Congress (2013-2014), <https://www.congress.gov/bill/113th-congress/senate-joint-resolution/19>; and Public Citizen, *Corporations are Not People: Frequently Asked Questions About Overturning Citizens United*, <https://www.citizen.org/article/frequently-asked-questions/>; see also, Public Citizen, Text and cosponsors of proposed amendments in the 116th Congress, <https://united4thepeople.org/amendments/>.

[7] Public Citizen, *Overturning Citizens United: By The Numbers*, <https://www.citizen.org/article/by-the-numbers/>; 2016, Hawai'i House Concurrent Resolution No. 29,

<https://www.capitol.hawaii.gov/sessions/session2016/bills/HCR29 .htm>.

[8] Senior fellow at American Progress former counsel then chief of staff to Commissioner Ellen L. Weintraub of the Federal Election Commission (FEC). <https://www.americanprogress.org/people/tom-moore/>

[9] Tom Moore, *The Corporate Power Reset That Makes Citizens United Irrelevant*, Center for American Progress, September 15, 2025, <https://www.americanprogress.org/article/the-corporate-power-reset-that-makes-citizens-united-irrelevant/>; and subsequent discussion of the corporation, quoting Chief Justice John Marshall pronouncement of the creation of and existence of corporations in *Trustees of Dartmouth College v. Woodward*, 17 U.S. 518, 636-37 (1819), "A corporation is an artificial being, invisible, intangible, and existing only in contemplation of law. Being the mere creature of law, it possesses only those properties which the charter of its creation confers upon it, either expressly, or as incidental to its very existence.... The objects for which a corporation is created are universally such as the government wishes to promote. They are deemed beneficial to the country; and this benefit constitutes the consideration, and, in most cases, the sole consideration of the grant."

<https://supreme.justia.com/cases/federal/us/17/518/>.

[10] *Id.*

[11] *Id.*

[12] *Id.*

[13] “Corporations, not being citizens, cannot be legitimate political actors.” Daniel Greenwood, *Essential Speech: Why Corporate Speech is Not Free*, 83 Iowa L. Rev. 995, 1054 (1998), <http://ssrn.com/abstract=794785>. “When the pot of [corporate] money enters the political system, it distorts the very regulatory pattern that ensures its own utility. When the pot of money is allowed to influence the rules by which it grows, it will grow faster, thus increasing its ability to influence – setting up a negative feedback cycle and assuring that the political system will be distorted to allow corporations to evade the rules that make them good for all of us (to extract rents, in the economists’ jargon).” *Id. see also*, Ciara Torres-Spelliscy, *Testimony for the House Subcommittee on Corporate Governance after Citizens United*, The Brennan Center, March 11, 2010, [https://www.brennancenter.org/our-work/research-reports/testimony-house-subcommittee-corporate-governance-after-citizens-united#\\_ftnref13](https://www.brennancenter.org/our-work/research-reports/testimony-house-subcommittee-corporate-governance-after-citizens-united#_ftnref13)

[14] Abraham Lincoln, Gettysburg Address, November 19, 1863.

**SB-2471-SD-1**

Submitted on: 2/24/2026 10:31:02 AM

Testimony for JDC on 2/27/2026 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Gail Morrison	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Keohokalole, Vice Chair Fukunaga and Members of the Committee,

I am in strong support of SB2471

This bill clarifies that the powers granted to artificial persons do not include spending money or anything of value to influence elections or ballot measures. This bill does not restrict any individual's right to speak, organize, or participate in democracy. It simply defines the limits of what state-created entities may do as entities.

SB2471 helps restore clarity, accountability, and confidence in our democratic system.

Mahalo,

Gail Morrison, Honolulu 96815

**SB-2471-SD-1**

Submitted on: 2/24/2026 10:37:52 AM

Testimony for JDC on 2/27/2026 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Elizabeth Kamida	Individual	Support	Written Testimony Only

Comments:

I support this bill personally and as a member of Indivisible Hawaii Statewide. More than ever, we need stronger State laws to safeguard free and fair elections. States can and should limit the power corporations have to influence elections. Corporations are business entities. Trying to define them as anything else in order to give them the ability to basically "buy" elections is just flat out wrong.

**SB-2471-SD-1**

Submitted on: 2/24/2026 11:32:52 AM

Testimony for JDC on 2/27/2026 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Muftiah Martin	Individual	Support	Written Testimony Only

Comments:

Aloha Legislators,

I am in strong support of SB2471 because it would go some way toward protecting us from some of the harm caused by the passage of Citizens United.

Elections should reflect the will and best interests of the people, not the interests of capital and corporations.

This bill, and SB2829/HB2130, will help Hawaii protect the interests of the people.

Mahalo for receiving my testimony.

**SB-2471-SD-1**

Submitted on: 2/24/2026 11:42:16 AM

Testimony for JDC on 2/27/2026 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Nancy D Moser	Individual	Support	Written Testimony Only

Comments:

in support

**SB-2471-SD-1**

Submitted on: 2/24/2026 1:06:51 PM

Testimony for JDC on 2/27/2026 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Jessica Kuzmier	Individual	Support	Written Testimony Only

Comments:

Aloha, I am writing in support of SB2471 SD1. I believe that the Hawai'i state government should do whatever it can within the bounds of the law to limit the power of the Citizens United Supreme Court Decision and give the power back to individual people. Mahalo for your consideration.

**SB-2471-SD-1**

Submitted on: 2/24/2026 1:25:30 PM

Testimony for JDC on 2/27/2026 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Calvin Black	Individual	Support	Written Testimony Only

Comments:

By limiting artificial persons to powers that support their core missions - while preserving natural persons' First Amendment rights - SB2471 restores democratic accountability, ensures corporations don't wield outsized political power, and protects Hawaii's sovereignty over the entities it charters. It's a vital step toward a government truly of, by, and for the people - not corporate interests. As an individual and as a member of Indivisible, I support this bill and urge its passage.

**SB-2471-SD-1**

Submitted on: 2/24/2026 2:04:51 PM

Testimony for JDC on 2/27/2026 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Kathleen Dickson	Individual	Support	Written Testimony Only

Comments:

I am 100% in favor of SB2471 because we are supposed to be governed by PEOPLE, not businesses. Hawai'i should not allow corporations or other businesses to have the same right to financially support candidates as humans. All the individuals who belong to corporations have the right to contribute. Allowing corporations the same privilege ends up giving just a few people double that right. Please pass this bill.

Eileen Cain  
720 Mahi'ai St., Apt. E  
Honolulu, Hawai'i 96826-5635  
eileencaïn808@gmail.com  
February 24, 2026

Senator Karl Rhoads, Chair, and Members of the Senate Committee on Judiciary

Aloha, Senators,

**I am submitting this testimony in support of SB2471 SD1, "Relating to the Powers of Artificial Persons."**

**My love of fairness in government makes it necessary for me to ask you to vote in favor of this bill.**

1. There is fear and concern among us ordinary citizens that the wealthy, especially those in powerful corporations, may be given priority when testimony is offered to elected officials.
2. This bill would eliminate undue influence over or even intimidation of elected officials. Perhaps some elected officials feel that it is difficult for them to vote for what is in the public's best interest because of wealthy groups acting out of selfishness, trying to sway officials or even intimidate them.
3. This bill would safeguard the public interest. Citizens like me need to trust that decisions made by elected officials are not dominated by powerful lobbies paid for by large corporations.
4. We citizens need to know that our voices are actually heard when we give testimony, that our needs and views are given serious consideration, even if we don't have a lot of money.

**Please vote yes on SB2471 SD1.**

Mahalo,

Eileen Cain  
Mō'ili'ili, Honolulu, Hawai'i

**SB-2471-SD-1**

Submitted on: 2/24/2026 3:29:37 PM

Testimony for JDC on 2/27/2026 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Robert Rowe	Individual	Support	Written Testimony Only

Comments:

I support this bill limiting the power of artificial persons (aka Citizens United)

**SB-2471-SD-1**

Submitted on: 2/24/2026 3:40:18 PM

Testimony for JDC on 2/27/2026 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Cassidy Hollenbeck	Individual	Support	Written Testimony Only

Comments:

I support this bill because our democracy should belong to people—not corporations. Elections must reflect the voices of everyday residents, not the deep pockets of artificial entities created by the state. Corporations, nonprofits, and unions are legal constructs, not living, breathing members of our communities. They should not have the power to drown out individual voters.

This bill reaffirms Hawai‘i’s authority to set boundaries on the privileges it grants and to protect the integrity of our elections. It preserves the full political rights of individuals while drawing a clear line against corporate influence. At a time when public trust is fragile, this is a bold and necessary stand for fair, people-powered democracy.

**SB-2471-SD-1**

Submitted on: 2/24/2026 4:31:05 PM

Testimony for JDC on 2/27/2026 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Michael Collat	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Keohokalole, Vice Chair Fukunaga and Members of the Committee,

I am in strong support of SB2471.

Regardless of the ludicrous Citizens United ruling, corporations are NOT people. They exist specifically to insulate people from the liability of the enterprises they found. US corporation law is foundational to the entrepreneurial environment of our country by deliberately creating separation between people and the companies they found. However, our country has perverted this logical relationship, and the result has been the dilution of our peoples' voices in our political process and the erosion of our democracy.

This bill clarifies that the powers granted to artificial persons do not include spending money or anything of value to influence elections or ballot measures. This bill does not restrict any individual's right to speak, organize, or participate in democracy. It simply defines the limits of what state-created entities may do as entities.

SB2471 helps restore clarity, accountability, and confidence in our democratic system.

Mahalo,

Michael Collat, Mānoa

**SB-2471-SD-1**

Submitted on: 2/24/2026 4:46:04 PM

Testimony for JDC on 2/27/2026 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Mary Leigh Knittle	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Keohokalole, Vice Chair Fukunaga and Members of the Committee,

I am writing to convey my strong support of SB2471.

This bill clarifies that the powers granted to artificial persons do not include spending money or anything of value to influence elections or ballot measures. This bill does not restrict any individual's right to speak, organize, or participate in democracy. It simply defines the limits of what state-created entities may do as entities.

Passage of this bill is imperative so elections reflect the will of the people (rather than the will of billionaires and corporate interests).

SB2471 helps restore clarity, accountability, and confidence in our democratic system.

Mahalo Nui,

Mary Leigh Knittle, Hilo

**SB-2471-SD-1**

Submitted on: 2/24/2026 5:31:33 PM

Testimony for JDC on 2/27/2026 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Marcia Kemble	Individual	Support	Written Testimony Only

Comments:

Greetings Committee Members,

I am writing in strong support of SB2471, which clarifies that the powers granted to artificial persons do not include spending money or anything of value to influence elections or ballot measures. This bill does not restrict any individual's right to speak, organize, or participate in democracy. I believe strongly that we need to reduce the influence of corporations and big money on elections! Many people are now so cynical and have lost faith in how democratic processes work. SB2471 helps restore accountability and confidence in our democratic system.

Mahalo for your attention.

Marcia Kemble

Makiki

**SB-2471-SD-1**

Submitted on: 2/24/2026 5:36:03 PM

Testimony for JDC on 2/27/2026 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
William Caron	Individual	Support	Written Testimony Only

Comments:

Aloha Committee Members,

Please support SB2471. Corporate spending dominates elections and politics in the U.S. and is eroding the foundations of our democracy. There is a direct through line between the Citizens United ruling and the rise of the oligarchy that is working even now to plunge us into a fascist nightmare. The purpose of this bill is to reign in the unchecked corporate power that has thrown our country into chaos and created historic inequality and suffering.

This proposed law applies equally to all corporate entities to ensure the strongest chances to withstand legal challenges. Including labor unions and non-profits ensures parity and fairness, and likewise limits exposure to legal challenge. However, the VAST majority of the money influencing and destroying our democratic political system is dark money from corporations, which have the ability to outspend labor unions and genuine non-profits 100-fold. Their ability to spend in elections must be ended.

This bill uses state authority to grant and repeal corporate power under state law. There is a long history and legal record that show states have the power to grant and revoke which powers and authority corporations have in their state. This includes corporations chartered in Hawai'i, as well as those chartered elsewhere but doing business in Hawai'i (i.e. "foreign corporations."

Please support this effort to reclaim our democracy.

**SB-2471-SD-1**

Submitted on: 2/24/2026 10:55:58 PM

Testimony for JDC on 2/27/2026 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Robert Justice, M.D.	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Keohokalole, Vice Chair Fukunaga and Members of the Committee,

I am testifying for SB2471 SD1 personally and as a member of the Indivisible Statewide Network and Common Cause. This bill affirms the State’s authority to limit the powers of artificial persons and would prohibit corporations and similar entities from spending money in elections. The bill removes the power of corporations, nonprofits, labor unions, and other artificial entities to contribute funds or anything of value to influence candidates, PACs, political parties, or ballot questions. These restrictions apply broadly, including to out-of-state entities operating in Hawai‘i, while preserving the political rights of individuals.

Elections should reflect the will of the people, and not that of corporate money. Artificial entities are state-created privileges, not natural rights holders. These bills reasserts that Hawai‘i can set boundaries on the powers it grants. Even in a tough legal environment, this is a clear statement that our state should prioritize public trust and fair elections. Individuals can still donate, speak, associate, and participate politically

Mahalo,

Robert Justice, M.D., Kapolei

**SB-2471-SD-1**

Submitted on: 2/25/2026 5:55:30 AM

Testimony for JDC on 2/27/2026 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Kehaulani Coleman	Individual	Support	Written Testimony Only

Comments:

Thank you

**SB-2471-SD-1**

Submitted on: 2/25/2026 9:53:40 AM

Testimony for JDC on 2/27/2026 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Mala Wingerd	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Keohokalole, Vice Chair Fukunaga and Members of the Committee,

**I am in strong support of SB2471**

This bill clarifies that the powers granted to artificial persons do not include spending money or anything of value to influence elections or ballot measures. This bill does not restrict any individual's right to speak, organize, or participate in democracy. It simply defines the limits of what state-created entities may do as entities.

**Elections should reflect people, not corporate money.** Artificial entities are state-created privileges, not natural rights holders.

**SB2471 helps restore clarity, accountability, and confidence in our democratic system.**

Thank you for your careful consideration on this matter.

**SB-2471-SD-1**

Submitted on: 2/25/2026 10:17:42 AM

Testimony for JDC on 2/27/2026 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Jason Lewis	Individual	Support	Written Testimony Only

Comments:

**SB2471 SD1 LIMITING POWER OF ARTIFICIAL PERSONS – CITIZENS UNITED**

Thank you for allowing me to offer this written testimony in strong support of SB2471. As a Lahaina resident and member of Indivisible Hawai'i, I respectfully urge you to pass SB2471, so that Hawai'i can reaffirm that corporations are created under Hawai'i State law, and possess only those powers granted by Hawai'i, and to revoke all prior grants of corporate and entity powers and regrant only those powers that the State determines to be necessary or convenient to conduct lawful business under the Constitution and laws of this State, which do not include the power to spend money or contribute anything of value to influence elections or ballot measures. This exercise of the State's authority over its corporate law is an appropriate and necessary act to render the Supreme Court's decision in Citizens United v. Federal Elections Commission, irrelevant.

In Citizens United, the Supreme Court, via 5-4 ruling, held that the First Amendment gives corporations the right to spend unlimited amounts of money to influence elections. In doing so, the Supreme Court opened the floodgates of independent election spending, allowing outside actors to pour exorbitant sums of money into political campaigns across the country, undermining the "bedrock principles like 'one person, one vote' and 'government of, by, and for the people'[]."

Not surprisingly, the Citizens United decision is wildly unpopular, with the majority of Americans disapproving of it, and voters opposing it by a nearly 3-1 margin. Despite this, Congress has failed to act to institute any post-Citizens reforms or implement a Constitutional amendment, even though in 2014, a majority of the U.S. Senate debated and voted in favor of S.J. Resolution 19, the "Democracy for All Amendment" to the Constitution, but did not achieve the 67 votes required to pass the Senate. Significantly, 842 local government resolutions calling for a Constitutional amendment have been passed, 22 States – including Hawai'i – and Washington D.C. have called for a Constitutional amendment, and 121 members of Congress are co-sponsoring legislation to overturn Citizens United.

As comprehensively discussed in The Corporate Power Reset That Makes 'Citizens United' Irrelevant, by Tom Moore, Hawai'i has the authority to limit corporate political activity and dark money spending via the definition of the form, limits, and privileges that corporations enjoy within the State, as they are artificial beings, existing only in contemplation of state law. Mr. Moore provides a comprehensive analysis of the constitutionality and legality of the state in

granting corporate powers, highlighting the difference between legislating campaign finance law and legislating state corporation law. He prudently identifies the fact that “Citizens United did not recognize that corporations possessed their own right to spend in candidate elections. Instead, the court recognized the right of the nonprofit corporation Citizens United, as an association of citizens, to exercise the collected individual rights of the U.S. citizens who gathered to create it.” Furthermore, “[t]hough the Supreme Court did not use these exact terms, Citizens United centered on the ability of government to regulate the right of corporations to exercise powers of political speech that the state had granted them.” Ultimately, “[t]he sovereign authority to decide which powers states grant to the corporations they charter includes the authority to not grant their corporations the power to spend in politics.”

We in Hawai’i are lucky to have representatives and officials who take into account and respect the sentiment of their constituents. Here, you can restore our citizens’ faith in the system and act in furtherance and protection of our fragile democratic constitutional republic. Unchecked corporate political spending is an absolute threat to our democracy, permitting corporations to buy policies antithetical to the common good. I ask you to take this critical opportunity to act to affirm Hawai’i’s State corporation law, that corporations are artificial persons created under State law, possessing only that power which the State has granted – powers which do not include the power to spend in elections.

Please, do your part in protecting our democracy, and heed the words of President Abraham Lincoln to satisfy the great task you have been charged with fulfilling, “that government of the people, by the people, for the people, shall not perish from the earth.”

I thank you, again, for your time and for dedicating yourself to protecting our democracy.

Respectfully,

Jason Lewis

Lahaina resident

**SB-2471-SD-1**

Submitted on: 2/25/2026 11:12:00 AM

Testimony for JDC on 2/27/2026 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Doris Segal Matsunaga	Individual	Support	Written Testimony Only

Comments:

As a grandmother living in Waimea on Hawaii Island, I support this measure

**SB-2471-SD-1**

Submitted on: 2/25/2026 11:15:13 AM

Testimony for JDC on 2/27/2026 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
DeWaine Tollefsrud	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Keohokalole, Vice Chair Fukunaga and Members of the Committee,

I am writing in strong support of SB2471.

People as individuals should be the ones influencing our politicians and their actions. There is no way we, the average citizens, could match the monetary influence of corporations and other "non-human" entities with our relative small donations.

I believe the phrase is "We the People...", not "We the Non-Human Entities..."

Mahalo for your time.

DeWaine Tollefsrud Kea'au, HI

**SB-2471-SD-1**

Submitted on: 2/25/2026 4:25:25 PM

Testimony for JDC on 2/27/2026 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Roger Hamada	Individual	Support	Written Testimony Only

Comments:

I testify in strong support of sb2471 sd1 which restricts artificial persons from making any material contributions in elections.

This will counter voters' impressions that legislators and their votes and influence can be "bought" by large contributions from corporations. This may help lessen citizens' disenchantment and disengagement from the democratic process.

Thank you for allowing me to testify on this important matter.

**SB-2471-SD-1**

Submitted on: 2/25/2026 6:12:49 PM

Testimony for JDC on 2/27/2026 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Jesse Hutchison	Individual	Support	Written Testimony Only

Comments:

Thank you!

**SB-2471-SD-1**

Submitted on: 2/25/2026 7:19:58 PM

Testimony for JDC on 2/27/2026 10:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Jennifer Lum	Individual	Support	Written Testimony Only

Comments:

I am writing in **strong support** of SB2471 and SB2829/HB2130.

These bills address the core issue created by *Citizens United* by clarifying a fundamental legal distinction: **corporations are state-created entities, not natural persons with inherent political rights**. By redefining corporate powers to include only what is "necessary or convenient" for business—explicitly excluding election spending—Hawai‘i can effectively bypass the "corporate personhood" loophole.

**Why This Matters:**

- **Neutralizes *Citizens United*:** This legislation shifts the focus from "speech" to "corporate authority," asserting that the State has the right to define the limits of the entities it creates.
- **Restores Public Trust:** It ensures that Hawai‘i’s elections are decided by the voices of real people, not the deep pockets of out-of-state "artificial persons" or dark money groups.
- **Protects Individual Rights:** This does not silence people; it simply prevents business entities from using their aggregated capital to drown out the individual voter.

It is time to prioritize the public trust over corporate influence. I urge the committee to pass these measures to ensure our democracy remains truly representative of the people of Hawai‘i.

Mahalo for your time and for considering this critical step toward fair elections.

Jen Lum, ‘Ewa Beach

**SB-2471-SD-1**

Submitted on: 2/26/2026 8:03:10 AM

Testimony for JDC on 2/27/2026 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Aimee E McCullough	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Keohokalole, Vice Chair Fukunaga and Members of the Committee,

I am in strong support of SB2471

This bill clarifies that the powers granted to artificial persons do not include spending money or anything of value to influence elections or ballot measures. This bill does not restrict any individual's right to speak, organize, or participate in democracy. It simply defines the limits of what state-created entities may do as entities.

SB2471 helps restore clarity, accountability, and confidence in our democratic system.

Aimee McCullough, PsyD

Kailua

**SB-2471-SD-1**

Submitted on: 2/26/2026 10:06:20 AM

Testimony for JDC on 2/27/2026 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Ross Isokane	Individual	Support	Written Testimony Only

Comments:

I support this bill. Corporations have significant power and resources. Their primary legal purpose is economic, not democratic. Without laws like this, they can exert massive influence on public policy, which often leads to misaligned priorities and outcomes that do not serve the broader public welfare.

I recognize the Attorney General has raised constitutional concerns, but I believe legal uncertainty should not prevent the Legislature from asserting its authority to define the powers it grants to artificial entities (so long as it's for the public's benefit). This is a fight that needs fighting and I believe the Attorney General should vigorously defend the Legislature's authority if this law is challenged.

Further, in my opinion, Administrative complexity should not deter the Legislature from pushing this forward for the public good. If additional resources are necessary to implement this law properly, I support my tax dollars funding them.

SENATE COMMITTEE ON JUDICIARY  
Senator Karl Rhoads, Chair  
Senator Mike Gabbard, Vice Chair



HEARING:

Friday, February 27, 2026 at 10:30 am  
Conference Room 016 & Videoconference

TESTIMONY IN SUPPORT OF SB 2471, SD1 - RELATING TO THE POWERS OF ARTIFICIAL PERSONS.

Aloha Chair Rhoads, Vice Chair Gabbard, and Members of the Committee,

My name is Christine Andrews, and I am an attorney licensed for over 25 year in Hawai'i and a long-term resident of Wailuku, Maui. I write to you today in **strong support of SB 2471, SD1**, Relating to the Powers of Artificial Persons. As an attorney and voter, the unfortunate trendline in state and national electoral politics since 2010, when the unfortunate U.S. Supreme Court decision *Citizens United* was decided, is clear. *Citizens United* has resulted in unfettered business donations to, and interference in, elections. Most recently, at the national level, we have seen billionaires try to influence elections, pouring millions into state and national contests. This amplifies the influence of the few, at the expense of the rights of the many. For example, in a recent Texas State Senate election, one candidate vastly outraised another, although one candidate had less than 250 donors and the other had over 1,800.

At the local level, on Maui, we have witnessed large, global corporations use their donations to work to defeat local ballot initiatives and monied mainland investors have tried to shape our representation and influence our elected to serve their interests rather than those of our residents. The high level of business donations in electoral politics erodes public trust in electeds, such as the members of this committee, and creates the impression that electeds serve the interests of business donors and not of their constituents. Legislation such as this will help restore trust and the reputation of public servants dedicated to the public good such as yourselves.

There may be concern that legislation such as this may contravene *Citizens United*. This is not the case. I remind you that the existence of corporations and business entities is a legal fiction that finds its roots in state law. So while the *Citizens United* decision does take precedence, it was decided on the facts of that case that do not apply when states legislate to limit the power of corporations. There is a growing national movement to empower states to limit the impact of *Citizens United* upon our electoral politics through state legislation. I request that you **vote in support SB 2471, SD1** and help Hawaii join the ranks of states that are working to empower voters rather than corporate interests. This is a measure that has broad public support to empower voters over billionaire corporate donors.

Mahalo nui,

Christine L. Andrews, J.D.  
Wailuku, Maui

**LATE**

**SB-2471-SD-1**

Submitted on: 2/26/2026 4:28:31 PM

Testimony for JDC on 2/27/2026 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Jane Aquino	Individual	Support	Written Testimony Only

Comments:

**Aloha Chair Keohokalole, Vice Chair Fukunaga and Members of the Committee,**

**I am in strong support of SB2471**

**This bill clarifies that the powers granted to artificial persons do not include spending money or anything of value to influence elections or ballot measures. This bill does not restrict any individual's right to speak, organize, or participate in democracy. It simply defines the limits of what state-created entities may do as entities.**

**SB2471 helps restore clarity, accountability, and confidence in our democratic system.**

Citizens United has had negative impact on our government.

**Mahalo, Jane Aquino, Manoa, Oahu**



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**LATE**

Friday, February 27, 2026  
Senate Committee on Judiciary

Senate Bill 2471 SD1 Relating to the Powers of Artificial Persons  
**Testimony in Support and Requesting Amendments**

Aloha Chair Rhoads, Vice Chair Gabbard and committee members:

I testify today as an individual. I am not here representing the ACLU of Hawai'i or any other organization.

SB2471 SD1 seeks to take advantage of long-standing legal precedent that states are solely authorized to define the scope with which corporations, including non-profits, can operate in their jurisdictions.

Since the early 1900s, states have granted broad authority to corporations to essentially have all the powers as individual persons. This was largely done as a matter of expediency, rather than explicit intent. However, we've now seen, as it relates to elections and our political system, that corporate entities are not the same as people and cannot be granted all the same powers as an individual. Any reasonable person understands they are not the same.

Corporations have abused with impunity the granted power to spend in elections. The consequence has been stark and terrible. Since the Supreme Court handed down its ruling in *Citizens United v. FEC*, corporate spending has exploded. Since 2008, spending by outside groups, corporations, has grown 28-fold (from \$144 million in 2008 to \$4.21 billion in 2024).<sup>1</sup>

The practical consequence of this spending has been outsized influence on elected officials to support the position of moneyed interests versus those of ordinary people.

The shrinking middle class and rising cost of living can, by some measure, be directly attributed to this outsized influence. In turn, dissatisfaction in our political

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<sup>1</sup> Open Secrets, "Outside Spending," available at <https://www.opensecrets.org/outside-spending/summary> (last accessed September 2025).

institutions by those same ordinary people who now feel ignored by their government has skyrocketed. To our peril.

The result has been anger and hostility toward our government institutions, which in turn has led to the rise in authoritarianism in America.

Luckily, SB2471 SD1 substantially reduces this terrible imbalance of influence in Hawai'i and restores a semblance of power to the individual persons of the electorate.

Prior court rulings imply that because powers given to corporations by states include essentially all those enjoyed by actual people, those rights cannot be separately prohibited. However, a long history of juris prudence and federal law has repeatedly provided states sole authority to define the breadth and depth of corporate power.

This state authority has never been revoked. As such, SB2471 SD1 takes a judicially narrow approach to addressing the consequence of Citizens United by making explicit in Hawai'i state law that corporations would no longer have this power, and as such, would have no right to it.

## **AMENDMENTS**

The prior committee removed language from the bill that would include "foreign entities" from the spending prohibition.

### ***(2) Deleting language that would have made foreign entities subject to the prohibitions of this measure;***

While I applaud and appreciate the work done by the Commerce and Consumer Protection Committee Chair and members, the removal of this language dramatically undermines the intent of the bill and increases the likelihood of a successful legal challenge.

In this context, "foreign" entities or corporations are those that are chartered outside the State of Hawaii, in other states, but conduct business here. To allow these entities the ability to spend in our elections while denying local corporations (including non-profits and unions) the same ability is not only unfair, but creates a potential imbalance of influence between local entities and those chartered elsewhere in the U.S.

Given this, I urge the Judiciary Committee to restore this language to the bill:

### ***Section 6:***

***§414-42: (e) A foreign corporation that is authorized to transact business, is otherwise transacting business, or holds property in this State is subject to this section. A foreign corporation that directly or indirectly undertakes,***

***finances, or directs election activity or ballot-issue activity in the State shall be conclusively deemed to be transacting business in this State.***

***Section 10:***

***§414D-52: (e) A foreign nonprofit corporation that is authorized to transact business, is otherwise transacting business, or holds property in this State is subject to this section. A foreign nonprofit corporation that directly or indirectly undertakes, finances, or directs election activity or ballot-issue activity in the State shall be conclusively deemed to be transacting business in this State.***

***Section 16:***

***§425-[ ] (d) A foreign limited liability partnership that directly or indirectly undertakes, finances, or directs election activity or ballot-issue activity in the State shall be conclusively deemed to be transacting business in this State.***

***Section 18:***

***§425E-105 (e) A foreign limited partnership that is authorized to transact business, is otherwise transacting business, or holds property in this State is subject to this section. A foreign limited partnership that directly or indirectly undertakes, finances, or directs election activity or ballot-issue activity in the State shall be conclusively deemed to be transacting business in this State.***

***Section 21:***

***§429-[ ] (e) A foreign unincorporated nonprofit association that is authorized to transact business, is otherwise transacting business, or holds property in this State is subject to this section. A foreign unincorporated nonprofit association that directly or indirectly undertakes, finances, or directs election activity or ballot-issue activity in the State shall be conclusively deemed to be transacting business in this State.***

The Hawai'i Legislature has an opportunity to respond to the anger and dissatisfaction of their constituents by supporting this bill and making it law.

Mahalo for the opportunity to testify.

**LATE**

**SB-2471-SD-1**

Submitted on: 2/26/2026 7:43:42 PM

Testimony for JDC on 2/27/2026 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Nate Hix	Individual	Support	Written Testimony Only

Comments:

Elections should not be purchased. Please pass this bill to remove undue influence on our legislative process.

**LATE**

**SB-2471-SD-1**

Submitted on: 2/26/2026 8:16:53 PM

Testimony for JDC on 2/27/2026 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Carrie Ann Shirota	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Vice Chair Gabbard and Committee Members:

I am writing to submit comments on **SB2471 SD1, Relating to the Powers of Artificial Persons**. The context for this bill is the continued harmful impacts stemming from the U.S. Supreme Court's decision in *Citizens United*, which created loopholes in campaign disclosure rules, enabling the flow of “dark money” or funding from groups that are not required to disclose their donors. This secrecy creates an impression that elected officials serve the interests of donors, rather than the interests of their constituents.

The influence of undisclosed funding continues to permeate electoral races in Hawai'i. Without transparency, the electorate lacks crucial information regarding the sources attempting to influence them, given the onslaught of paid television and radio advertisements, mailers, and social media campaigns. Consequently, it is significantly challenging for voters to make informed decisions at the ballot box.

In closing, I respectfully urge this Committee to pass SB2471 SD1 which authorizes the State to establish parameters on corporate power.

Mahalo for your consideration.

Sincerely,

Carrie Ann Shirota

**LATE**

**SB-2471-SD-1**

Submitted on: 2/27/2026 7:18:40 AM

Testimony for JDC on 2/27/2026 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Theresa Armbruster	Individual	Oppose	Written Testimony Only

Comments:

OPPOSE SB2471 SD1 for several reasons:

Attempts to redefine listed entities as "artificial" which is False. They are groups of individuals or "natural" persons, therefore have every Right & power as an individual protected in Constitution!

Not all entities are tax-exempt 501(c)(3), so can NOT ban all from election & ballot-issue activity. Even a 501(c)(3) CAN spend a percentage of their exempt purpose expenditures on lobbying, which includes ballot-issue lobbying, according to IRS code 501(h). Also, no valid reason to specifically ban election or ballot-issue activity, so face "stricter scrutiny" clause of Constitution.

Bill attempts to deny many groups of individuals from having a collective voice in elections, which is not for our general welfare, so Propose to Repeal Article 1, Sect 21 of State Constitution, so the State NO Longer has the power to act on our behalf, unless it can prove the action is for the general welfare!

Protect every individual & groups of individuals' Constitutional Rights to Free Speech-- participate in election & ballot-issue activity!!!

Vote NO on SB2471 SD1

Mahalo

**LATE**

**SB-2471-SD-1**

Submitted on: 2/27/2026 8:44:06 AM

Testimony for JDC on 2/27/2026 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Nathan Leo Braulick	Individual	Support	Written Testimony Only

Comments:

Thank you,

Nathan Leo Braulick

**LATE**

**SB-2471-SD-1**

Submitted on: 2/27/2026 10:42:37 AM

Testimony for JDC on 2/27/2026 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
John Bickel	Individual	Support	Written Testimony Only

Comments:

This is a common sense clean government measure.