
A BILL FOR AN ACT

RELATING TO CAMPAIGN FINANCE.

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

1 SECTION 1. Section 11-333, Hawaii Revised Statutes, is
2 amended by amending subsection (b) to read as follows:
3 "(b) Schedules filed with the reports shall include the
4 following additional information:
5 (1) The amount and date of deposit of each contribution
6 and the name and address of each contributor who makes
7 contributions aggregating more than \$100 in an
8 election period; provided that for contributions
9 received through a third-party website such as ActBlue
10 or Paypal, the date the check was received by the
11 candidate from the third party, or if direct
12 deposited, the date the deposit was made by the third
13 party, is the date to be reported for each
14 contribution received by the third party; provided
15 further that if all the information is not on file,
16 the contribution shall be returned to the contributor
17 within thirty days of deposit;



- 1 (2) The amount and date of deposit of each contribution
- 2 and the name, address, occupation, and employer of
- 3 each contributor who makes contributions aggregating
- 4 \$1,000 or more during an election period; provided
- 5 that if all the information is not on file, the
- 6 contribution shall be returned to the contributor
- 7 within thirty days of deposit;
- 8 (3) All expenditures, including the name and address of
- 9 each payee and the amount, date, and purpose of each
- 10 expenditure. Expenditures for consultants,
- 11 advertising agencies and similar firms, credit card
- 12 payments, salaries, and committee reimbursements to
- 13 the candidate or other individuals shall be itemized
- 14 to permit a reasonable person to determine the
- 15 ultimate intended recipient of the expenditure and its
- 16 purpose;
- 17 (4) The amount, date of deposit, and description of other
- 18 receipts and the name and address of the source of
- 19 each of the other receipts;
- 20 (5) Information about each loan received by the committee,
- 21 together with the names and addresses of the lender



1 and each person liable directly, and the amount of
2 each loan. A copy of the executed loan document shall
3 be received by the commission by mail or delivery on
4 or before the filing date for the report covering the
5 reporting period when the loan was received. The
6 document shall contain the terms of the loan,
7 including the interest and repayment schedule.
8 Failure to disclose the loan or to provide
9 documentation of the loan to the commission shall
10 cause the loan to be treated as a contribution,
11 subject to all relevant provisions of this part;

12 (6) A description of each durable asset, the date of
13 acquisition, value at the time of acquisition, and the
14 name and address of the vendor or contributor of the
15 asset; and

16 (7) The date of disposition of each durable asset, value
17 at the time of disposition, the method of disposition,
18 and the name and address of the person receiving the
19 asset."

20 SECTION 2. Section 11-365, Hawaii Revised Statutes, is
21 amended to read as follows:



1 **"§11-365 Contributions and expenditures by lobbyists**

2 **prohibited during legislative session.** (a) During any regular

3 session or special session of the legislature, including any

4 extension of any regular session or special session and any

5 legislative recess days, holidays, and weekends, and for five

6 calendar days before and after a session, no lobbyist shall

7 make, or promise to make at a later time, any contributions or

8 expenditures to or on behalf of an elected official, candidate,

9 candidate committee, or any other individual required to file an

10 organizational report pursuant to section 11-321. No elected

11 official, candidate, candidate committee, or other individual

12 required to file an organizational report pursuant to section

13 11-321 shall accept, or agree to accept at a later time, any

14 contribution from a lobbyist during the specified period under

15 this subsection. Any contribution prohibited by this subsection

16 shall escheat to the Hawaii election campaign fund. An elected

17 official, candidate, candidate committee, or any other

18 individual required to file an organizational report pursuant to

19 section 11-321, alleged to have received a prohibited

20 contribution in violation of this section, shall be



1 administratively referred by the state ethics commission
2 executive director to the campaign spending commission.

3 (b) Where the acceptance or agreement to accept is the
4 violation of subsection (a), the date of violation shall be the
5 date of the acceptance or the date where the agreement of
6 acceptance occurred and not the date of deposit.

7 [+] (c) For the purposes of this section:

8 "Elected official" has the same meaning as in section
9 11-342.

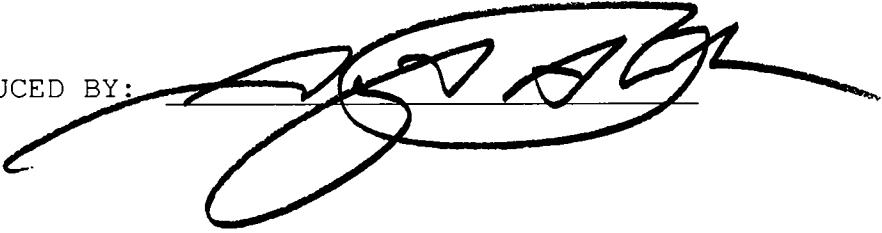
10 "Lobbyist" means any person actively registered as a
11 lobbyist with a state or county ethics board or commission.

12 "Session" means a period in which both legislative houses
13 are in session."

14 SECTION 3. Statutory material to be repealed is bracketed
15 and stricken. New statutory material is underscored.

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

17

INTRODUCED BY: 



S.B. NO. 2411

Report Title:

Campaign Finance; Third-Party Websites; Contributions; Lobbyists

Description:

Clarifies that for campaign committee reports, the date a candidate receives a check from a third-party website or the date the deposit is made by the third party is the reporting date for contributions aggregating more than \$100 in an election period. Clarifies that for contributions by lobbyists prohibited during a legislative session, the date of a violation is the date of the acceptance or the date where the agreement of acceptance of a contribution occurred and not the date of deposit.

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

