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# A BILL FOR AN ACT

RELATING TO THE CAMPAIGN SPENDING COMMISSION'S ELECTRONIC FILING SYSTEM.

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

1 SECTION 1. Section 11-321, Hawaii Revised Statutes, is  
2 amended by amending subsection (b) to read as follows:

3 "(b) Before filing the organizational report, each  
4 candidate committee or noncandidate committee shall ~~[mail or~~  
5 ~~deliver]~~ electronically file an electronic filing form ~~[to]~~ with  
6 the commission."

7 SECTION 2. Section 11-326, Hawaii Revised Statutes, is  
8 amended to read as follows:

9 "[+]§11-326[+] **Termination of candidate committee's or**  
10 **noncandidate committee's registration.** A candidate committee or  
11 noncandidate committee may terminate its registration if:

12 (1) The candidate committee or noncandidate committee:

13 (A) Files a request for registration termination  
14 form;

15 (B) ~~[Files]~~ Electronically files a report disclosing  
16 contributions and expenditures not previously



1 reported by the committee, and the committee has  
2 no surplus or deficit; and

3 (C) Mails or delivers to the commission a copy of the  
4 committee's closing bank statement; and

5 (2) The request is approved by the commission."

6 SECTION 3. Section 11-333, Hawaii Revised Statutes, is  
7 amended by amending subsection (b) to read as follows:

8 "(b) Schedules filed with the reports shall include the  
9 following additional information:

10 (1) The amount and date of deposit of each contribution  
11 and the name and address of each contributor who makes  
12 contributions aggregating more than \$100 in an  
13 election period; provided that if all the information  
14 is not on file, the contribution shall be returned to  
15 the contributor within thirty days of deposit;

16 (2) The amount and date of deposit of each contribution  
17 and the name, address, occupation, and employer of  
18 each contributor who makes contributions aggregating  
19 \$1,000 or more during an election period; provided  
20 that if all the information is not on file, the



1 contribution shall be returned to the contributor  
2 within thirty days of deposit;

3 (3) All expenditures, including the name and address of  
4 each payee and the amount, date, and purpose of each  
5 expenditure. Expenditures for consultants,  
6 advertising agencies and similar firms, credit card  
7 payments, salaries, and committee reimbursements to  
8 the candidate or other individuals shall be itemized  
9 to permit a reasonable person to determine the  
10 ultimate intended recipient of the expenditure and its  
11 purpose;

12 (4) The amount, date of deposit, and description of other  
13 receipts and the name and address of the source of  
14 each of the other receipts;

15 (5) Information about each loan received by the committee,  
16 together with the names and addresses of the lender  
17 and each person liable directly, and the amount of  
18 each loan. A copy of the executed loan document shall  
19 be ~~[received by]~~ electronically filed with the  
20 commission ~~[by mail or delivery]~~ on or before the  
21 filing date for the report covering the reporting



1 period when the loan was received. The document shall  
2 contain the terms of the loan, including the interest  
3 and repayment schedule. Failure to disclose the loan  
4 or to provide documentation of the loan to the  
5 commission shall cause the loan to be treated as a  
6 contribution, subject to all relevant provisions of  
7 this part;

8 (6) A description of each durable asset, the date of  
9 acquisition, the value at the time of acquisition, and  
10 the name and address of the vendor or contributor of  
11 the asset; and

12 (7) The date of disposition of each durable asset, the  
13 value at the time of disposition, the method of  
14 disposition, and the name and address of the person  
15 receiving the asset."

16 SECTION 4. Section 11-342, Hawaii Revised Statutes, is  
17 amended by amending subsection (a) and (b) to read as follows:

18 "(a) No fundraiser shall be held unless a notice of intent  
19 to hold the fundraiser is electronically filed with the  
20 commission setting forth [~~the~~]:

21 (1) The name and address of the person in charge [~~, the~~];



- 1        (2)    The price per person~~[, the]~~;
- 2        (3)    The date, hour, and place of the fundraiser~~[,]~~; and
- 3                    ~~[the]~~
- 4        (4)    The method ~~[thereof.]~~ of the fundraiser.

5            (b) The person in charge of the fundraiser shall  
6 electronically file the notice with the commission ~~[prior to]~~  
7 before the fundraiser."

8            SECTION 5. Section 11-428, Hawaii Revised Statutes, is  
9 amended to read as follows:

10            "[~~§~~11-428~~]~~    **Eligibility requirements for public funds.**

11 In order to be eligible to receive public funds for an election,  
12 a candidate shall certify that the candidate will meet all the  
13 following requirements:

- 14            (1) The candidate and any candidate committee authorized  
15                    by the candidate shall not incur campaign expenses in  
16                    excess of the expenditure limitations imposed by  
17                    section 11-423;
- 18            (2) The candidate has qualified to be on the election  
19                    ballot in a primary or general election;
- 20            (3) The candidate has electronically filed a statement of  
21                    intent to seek qualifying contributions.    A



- 1 contribution received before the filing of a statement  
2 of intent to seek public funds shall not be considered  
3 a qualifying contribution;
- 4 (4) The candidate or candidate committee authorized by the  
5 candidate has received the minimum qualifying  
6 contribution amounts for the office sought by the  
7 candidate as set forth in section 11-429;
- 8 (5) The aggregate of contributions certified with respect  
9 to any person under paragraph (4) does not exceed  
10 \$100;
- 11 (6) The candidate agrees to obtain and furnish any  
12 evidence relating to expenditures that the commission  
13 may request;
- 14 (7) The candidate agrees to keep and furnish records,  
15 books, and other information that the commission may  
16 request;
- 17 (8) The candidate agrees to an audit and examination by  
18 the commission pursuant to section 11-434 and to pay  
19 any amounts required to be paid pursuant to that  
20 section; and



1           (9) Each candidate and candidate committee in receipt of  
2           qualifying contributions that may be taken into  
3           account for purposes of public funding shall maintain,  
4           on a form prescribed by the commission, records that  
5           show the date and amount of each qualifying  
6           contribution and the full name and mailing address of  
7           the person making the contribution. The candidate and  
8           the candidate committee authorized by the candidate  
9           shall transmit to the commission all reports with  
10          respect to these contributions that the commission may  
11          require."

12          SECTION 6. Section 11-430, Hawaii Revised Statutes, is  
13          amended by amending subsection (a) to read as follows:

14          "(a) Each application for public funds shall be signed by  
15          the candidate and notarized, and accompanied by the  
16          electronically filed qualifying campaign contribution statement  
17          or statements."

18          SECTION 7. Statutory material to be repealed is bracketed  
19          and stricken. New statutory material is underscored.

20          SECTION 8. This Act shall take effect on July 1, 3000.



**Report Title:**

Campaign Spending Commission Package; Electronic Filing System

**Description:**

Amends various sections of Hawaii's campaign spending laws by requiring designated campaign finance forms to be submitted electronically through the Campaign Spending Commission's upgraded electronic filing system. Effective 7/1/3000. (HD1)

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

