

ACT 31

H.B. NO. 2441

A Bill for an Act Relating to Elections.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 11-204, Hawaii Revised Statutes, is amended by amending subsection (l) to read as follows:

“(l) No person or any other entity shall make contributions to a political party in an aggregate amount greater than \$50,000 in any two-year election [year.] period.”

SECTION 2. Section 11-207, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) Expenditures made by any person or political party for the benefit of a candidate in cooperation, consultation, or concert with, or at the request or suggestion of, a candidate, a candidate’s political committee, or their agents, shall be considered to be a contribution to such candidate.

The financing by any person or political party of the dissemination, distribution, or republication, in whole or in part, of any broadcast or any written or other campaign materials prepared by the candidate, the candidate’s political committee or committees, or agents shall be considered to be a contribution to such candidate.

This subsection shall not apply to candidates for governor or lieutenant governor supporting a co-candidate in the general election.”

SECTION 3. Section 11-213, Hawaii Revised Statutes, is amended by amending subsection (e) to read as follows:

“(e) Deficit. In the event of a deficit the candidate, authorized person in the case of a party, or campaign treasurer in the case of a committee shall, every six months until the deficit is eliminated, file supplemental reports covering all items prescribed in subsection (a) or subsection (b) in the case of noncandidate committees. The first report shall be due no later than 4:30 p.m. on the [thirty-first] thirtieth day after the last day of the election year.”

SECTION 4. Section 11-214, Hawaii Revised Statutes, is amended by amending subsection (d) to read as follows:

“(d) This section shall not apply to:

- (1) Elected officials;
- (2) Candidates who failed to be nominated or elected yet who become a candidate for nomination or election to office within four years thereafter; [or]
- (3) Elected officials who resign their office before the end of their term yet who file to become a candidate for reelection within four years after the end of the term from which they resigned[.]; or
- (4) Elected officials who do not seek reelection yet who file to become a candidate for election within four years after the end of the term from which they did not seek reelection.”

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SECTION 5. Section 11-218, Hawaii Revised Statutes, is amended to read as follows:

“§11-218 Candidate funding; amounts available. (a) The maximum amount of public funds available to a candidate for the office of governor, lieutenant governor, or mayor in any election year shall not exceed one-fifth or twenty per cent of the total expenditure limit established for each office above pursuant to section 11-209.

(b) For the office of state senator, state representative, county council member, and prosecuting attorney, the maximum amount of public funds available to a candidate in any election year shall be thirty per cent of the total expenditure limit established for each office listed in this subsection pursuant to section 11-209[; provided that the candidate received at least ten per cent of the votes cast in the respective election for the office which the candidate is seeking].

(c) For the board of education and all other offices, the maximum amount of public funds available to a candidate shall not exceed \$100 in any election year.

(d) The total amount of public funds for a primary, special primary, or general election to which a candidate is entitled to receive under section 11-221 shall not exceed fifty per cent of the maximum amount of public funds available for the candidate's respective office. Each candidate who qualified for the maximum amount of public funding in any primary or special primary election and who is a candidate for a subsequent general election shall upon application with the commission be entitled to receive up to fifty per cent of the balance of public funds available to such candidate.”

SECTION 6. Statutory material to be repealed is bracketed. New statutory material is underscored.

SECTION 7. This Act shall take effect upon its approval.

(Approved April 29, 1998.)