

ACT 54

H.B. NO. 389

A Bill for an Act Relating to Elections.

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

SECTION 1. Chapter 11, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

**“§11- Candidates for public office; public service announcements; public funds.** (a) No person who is a candidate for public office shall appear in, or lend the person’s name, image, or voice to, any public service announcement or any advertisement that is produced on behalf of any state-administered program or paid for with state, county or federal revenues, from the time the candidate files nomination papers until the day after the day of:

- (1) The primary election, in the case of a candidate in a primary election who fails to be nominated to stand in a general election; or
- (2) The general election, in the case of a candidate who is nominated in a primary election and seeks election in a general election.

(b) A candidate who holds public office shall be exempt from the prohibition specified in subsection (a) if the announcement or advertisement is in anticipation of or in response to a disaster or state or national emergency; provided that the announcement or advertisement is reasonably necessary for an official function of the candidate.

(c) This section shall not be construed to prohibit a candidate from appearing in a broadcast of official state, county, or federal proceedings.”

SECTION 2. New statutory material is underscored.<sup>1</sup>

SECTION 3. This Act shall take effect upon its approval.

(Approved May 1, 2007.)

**Note**

1. Edited pursuant to HRS §23G-16.5.