

IX. SURPLUS FUNDS AND DISPOSITION OF FUNDS

Surplus Funds

Candidate committees must continue filing reports with the Commission until all surplus funds have been lawfully disbursed.

Surplus funds may be used after a general or special election for any of the eight (8) authorized expenditures listed under Part V of this Guidebook.

Surplus funds may be expended by a candidate for the candidate's next subsequent election (state or local offices only) after the filing of an amended Organizational Report. This applies to candidates who failed to be nominated or elected to office who will be running again and candidates who are elected to office who will be running again for a different office to which they were elected and includes term-limited candidates.

For a candidate who is term limited for the office for which they presently occupy, contributions may be sought only if the committee has no surplus and has debt, unpaid expenses, or unpaid loans. If this does not apply and a candidate intends to seek contributions to run for elective office in the next subsequent election, then the candidate must amend their Organizational Report to notify the Commission and the public of the office they intend to run for within 10 days of receiving contributions or making or incurring expenditures of more than \$100 for that office. The contribution limits of the subsequent office sought will apply.

Disposition of Funds

A candidate who receives contributions for an election but fails to file nomination papers for that election shall return residual funds to the contributors no later than **ninety (90) days** after the date on which nominations for that election must be filed. Funds not returned to contributors must escheat to the Hawaii Election Campaign Fund.

A candidate who withdraws or ceases to be a candidate because of death, disqualification, resignation, or other personal reasons shall return residual funds to the contributors no later than **ninety (90) days** after the candidate ceases to be a candidate. Funds not returned to contributors shall escheat to the Hawaii Election Campaign Fund.

A candidate who loses an election may use campaign funds for any of the eight (8) authorized expenditures listed under Part V of this Guidebook or return funds to contributors until **one (1) year** from the date of the election for which campaign funds were received. Funds not returned to contributors shall escheat to the Hawaii Election Campaign Fund.

A candidate who is elected to office may use campaign funds for any of the eight (8) authorized expenditures listed under Part V of this Guidebook or return funds to contributors until **four (4) years** from the date of the election for which campaign funds were received. Funds not returned to contributors shall escheat to the Hawaii Election Campaign Fund.

If a candidate does not win the election and the candidate has a deficit/debt including an outstanding loan or unpaid expenditure, the candidate must continue filing reports with the Commission until the deficit/debt has been cleared.