



January 20, 2026

Ms. Kristie Cruz Chang, Esq.  
General Counsel  
Hawai'i State Campaign Spending Commission  
235 South Beretania Street, Ste. 300  
Honolulu, HI 96813

VIA Hand Delivery & E-Mail Delivery

Re: Applicability of HRS §11-342 to Holding Fundraiser Events By and/or On Behalf of a State Official to Raise Contributions for a Campaign for Federal Elected Office

Dear Ms. Cruz Chang:

Pursuant to Hawaii Revised Statute (HRS) §11-315, we respectfully request that the Commission issue an advisory opinion on whether Hawaii's prohibition on elected officials from holding fundraiser events during the legislative session applies to federal candidate committees, elected officials, and/or other individuals and groups acting on behalf of elected officials seeking to raise contributions for their campaigns for federal elected office. Given the upcoming start of the 2026 legislative session and the activities of federal campaign committees, elected officials, and other individuals and organizations, we respectfully request expedited review of these issues, the questions presented below, and the issuance of an advisory opinion.

#### I. Relevant Background Information

On September 25, 2025, State Representative Della Au Belatti announced her campaign to run for Hawai'i Congressional District 1, a federal elected office. The 2026 Hawai'i legislative session begins on Wednesday, January 21, 2026, and adjourns on Friday, May 8, 2026.

#### II. Relevant Statutes

HRS §11-342(c) provides, in relevant part that “[d]uring any regular session or special session of the state legislature...no elected official shall hold a fundraiser event.” HRS §11-342(d) defines “[e]lected official” as “an individual who currently holds an elected state or county office, including the governor, lieutenant governor, state senator, state representative, trustee of the office of Hawaiian affairs, county mayor, county council member, county prosecuting attorney, and any individual appointed to serve in any of the aforementioned offices.”

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HRS §11-342(d) further defines a “[f]undraiser event” as “any function held for the benefit of an elected official that is intended or designed, directly or indirectly, to raise contributions for which any price is charged or any contribution is suggested for attending the function.”

### III. Advisory Questions Presented to the Commission

1. Whether the principal candidate committee, organized under federal laws and regulations, for a state representative or state senator who holds office during a regular session of the state legislature is prohibited by HRS §11-342 from hosting a fundraiser event that is intended or designed to raise contributions for the state representative or state senator’s campaign for election to federal office?
2. If the principal candidate committee in the above scenario is allowed to hold a fundraiser to elect a state official to federal office, is the state official permitted to participate in the fundraiser hosted by the federal candidate committee?
3. Whether individuals, groups, or organizations are prohibited by HRS §11-342 from hosting a fundraiser event during the legislative session that is intended or designed to raise contribution for a state official’s campaign for election to federal office?
4. If an individual, group, or organization is allowed to hold a fundraiser event to elect a state official to federal office, is the state official permitted to participate in the fundraiser hosted by that individual, group or organization?

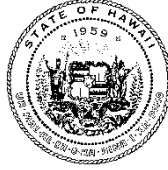
### IV. Conclusion

Thank you for your assistance with answering these questions. As noted above, we request expedited review of these questions as it impacts the activities of our federal campaign committee and/or elected officials during the next several months through the conclusion of the 2026 legislative session on May 8, 2026, and any subsequent special sessions that may be convened in 2026. Please contact me should the Commission have any questions regarding this request or need any additional information for its review and analysis.

Respectfully submitted,



John Salerno  
Assistant Treasurer  
Belatti for Congress



**STATE OF HAWAII  
CAMPAIGN SPENDING COMMISSION**

235 SOUTH BERETANIA STREET, ROOM 300  
HONOLULU, HAWAII 96813

March 18, 2026

Belatti for Congress  
P.O. Box 900  
Honolulu, HI 96808

RE: Advisory Opinion 26-02

Dear Ms. Belatti and Belatti for Congress:

We are responding to your request to the Hawaii Campaign Spending Commission (“Commission”) for an advisory opinion dated January 20, 2026<sup>1</sup>, concerning the applicability of Hawaii Revised Statutes (“HRS”) §11-342 to a current state representative or senator running for a federal elected office. For the reasons discussed below, the Commission determines that Hawaii Campaign Finance law does not apply to candidates and/or campaigns for federal elected office.

I. Background

Hawaii Representative Della Au Belatti (“Representative Belatti”) was elected and assumed office on November 8, 2022, to represent District 26 in the Hawaii State Legislature. Representative Belatti’s current term ends on November 3, 2026. Representative Belatti and her candidate committee, Friends of Della Au Belatti, have active registrations with the Commission. On September 25, 2025, Representative Belatti announced her campaign to run for a federally elected office representing Hawai’i Congressional District 1. On October 1, 2025, Della Au Belatti and Belatti for Congress filed a Statement of Candidacy with the Federal Elections Commission<sup>2</sup>. On February 17, 2026, the Hawaii Office of Elections issued a nomination paper to Della Au Bellati for U.S. Representative District 1. As of March 6, 2026, Della Au Belatti has not filed nomination papers with the Hawaii Office of Elections. In addition, Representative Belatti has not resigned from her position as Representative for District 26.

II. Issues for Clarification

You requested an advisory opinion clarifying the following issues:

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<sup>1</sup> A copy of your advisory opinion request dated January 20, 2026, is attached hereto as Exhibit “A.”

<sup>2</sup> See <https://www.fec.gov/data/candidate/H6HI01345/?tab=about-candidate>.

1. *Whether the principal candidate committee, organized under federal laws and regulations, for a state representative or state senator who holds office during a regular session of the state legislature is prohibited by HRS §11-342 from hosting a fundraiser event that is intended or designed to raise contributions for the state representative or state senator's campaign for election to federal office?*
2. *If the principal candidate committee in the above scenario is allowed to hold a fundraiser to elect a state official to federal office, is the state official permitted to participate in the fundraiser hosted by the federal candidate committee?*
3. *Whether individuals, groups, or organizations are prohibited by HRS §11-342 from hosting a fundraiser event during the legislative session that is intended or designed to raise contribution for a state official's campaign for election to federal office?*
4. *If an individual, group, or organization is allowed to hold a fundraiser event to elect a state official to federal office, is the state official permitted to participate in the fundraiser hosted by that individual, group or organization?*

### III. Analysis

The Commission is responsible for the regulation of campaign contributions and expenditures in the state through the administration and enforcement of Hawaii Campaign Finance Law and rules. The first issue is to determine the scope of the Commission's authority to regulate and enforce Hawaii Campaign Finance Law. HRS §11-321 states that "[e]ach candidate or noncandidate committee shall register with the commission by filing an organizational report as set forth in section 11-322 or 323, as applicable." [Emphasis added.] A "candidate" is defined as "an individual who seeks nomination for election or seeks election to office." [Emphasis added.] See HRS §11-301. The term "office" is also defined in HRS 11-301 as "any Hawaii elective public or constitutional office, excluding county neighborhood board and federal elective offices." Reading HRS §11-321 together with the definitions for "candidate" and "office", the Commission has authority to regulate and enforce Hawaii Campaign Finance Law of candidates, candidate committees, noncandidate committees, and elected officials for state and county offices. The Commission explicitly does not have authority over federal elective offices.<sup>3</sup> Therefore, the Hawaii Campaign Finance law does not apply to Della Au Belatti's campaign for U.S. Representative District 1 race.

While the Commission does not have authority over federal elective offices, it recognizes Ms. Belatti's desire for clarification on her ability to fundraise during Hawaii Legislative session because she is a current state representative running for a federal elected office. The first issue is to determine the parameters for elected officials to fundraisers under Hawaii Campaign Finance

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<sup>3</sup> The Federal Election Commission has jurisdiction over the financing of campaigns for the U.S. House, Senate, Presidency and the Vice Presidency. See <https://www.fec.gov/about/mission-and-history/>.

Law. Hawaii elected officials are prohibited from holding a fundraiser event during state legislative session or any special legislative session. Specifically, HRS §11-342(c) provides:

“[d]uring any regular session or special session of the state legislature, including any extension of any regular session or special session and any legislative recess days, holidays, and weekends, no elected official shall hold a fundraiser event.”  
[Emphasis added.]

HRS §11-342(c) defines “elected official” and “fundraiser event”. An “elected official” is defined in HRS §11-342(c) as an individual who currently holds an elected state or county office, including the governor, lieutenant governor, state senator, state representative, trustee of the office of Hawaiian affairs, county mayor, county council member, county prosecuting attorney, and any individual appointed to serve in any of the aforementioned offices.” A “fundraiser event” is defined as a “function held for the benefit of an elected official that is intended or designed, directly or indirectly, to raise contributions for which any price is charged or any contribution is suggested for attending the function.” In this instance, Representative Belatti was elected as the Representative for District 26 on November 8, 2022, with her term expiring on November 3, 2026. As a current elected official, Representative Belatti and her candidate committee, Friends of Della Au Belatti, are prohibited from having a fundraiser or fundraiser event to directly or indirectly raise contributions for attending the fundraiser while the Hawaii Legislature is in session (e.g. January 21, 2026, through May 8, 2026).

The next issue is whether Della Au Belatti’s campaign for U.S. Representative District 1 can fundraise or conduct fundraisers during Hawaii Legislative Session. As previously stated, Hawaii Campaign Finance Law, and therefore HRS §11-342, does not apply to federal elected offices or campaigns. The Commission assumes Friends of Della Au Belatti and Belatti for Congress maintain distinct and separate bank accounts to track contributions and expenditures for each office. If this assumption is correct, the Commission recommends that any fundraising activity for Belatti for Congress including the candidate’s attendance at fundraiser events be clearly identified on advertising materials, that the event and attendance is for Belatti for Congress, and all contributions and expenditures from the event should be reported on the Belatti for Congress disclosure reports to be filed with the Federal Election Commission. Because Ms. Belatti is not seeking re-election for her Hawaii Representative District 26, she should not have any further contributions to her Friends of Della Au Belatti bank account.

### Conclusion

Based on the foregoing, the Commission determines Hawaii Campaign Finance law does not apply to candidates and/or campaigns for federal elected office. The Commission specifically answers your questions #1 and #3 above in the negative, questions #2 and #4 in the affirmative assuming Belatti for Congress maintains a separate bank account for the campaign and that all materials for the events clearly indicate the event is for Belatti for Congress campaign.

