

HONOLULU CITY COUNCIL
KE KANIHELA O KE KALANA O HONOLULU
CITY AND COUNTY OF HONOLULU

No. 26 - 210

RESOLUTION

AMENDING THE COUNCIL RULES RELATING TO MASS COMMUNICATIONS NEAR ELECTION DATES.

WHEREAS, Section 3-107.2 of the Revised Charter of the City and County of Honolulu 1973 (Amended 2017 Edition), as amended ("Charter"), provides that the City Council ("Council") shall adopt rules governing its officers and employees, the organization of committees, and the transaction of business; and

WHEREAS, pursuant to Charter Section 3-107.2, the Council has adopted the Rules of the Council of the City and County of Honolulu, dated January 2023 ("Council Rules"); and

WHEREAS, Rule 26 of the Council Rules provides that a Council rule may be amended or rescinded, and a new rule may be adopted by a resolution approved by an affirmative vote of a majority of the entire membership of the Council at an open meeting; and

WHEREAS, the Council desires to amend its rules to prohibit the use of resources of the City and County of Honolulu ("City") for the purpose of mass communications near election dates by Councilmembers who are candidates for election for any federal, state, or local office and whose names appear on the ballot of an upcoming primary or general election; now, therefore,

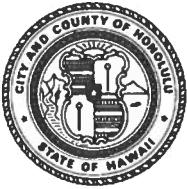
BE IT RESOLVED by the Council of the City and County of Honolulu that the Rules of the Council of the City and County of Honolulu, dated January 2023, are amended by adding a new Rule 37 to read as follows:

"RULE NO. 37

MASS COMMUNICATIONS NEAR ELECTION DATES

A. A councilmember may not mail or otherwise disseminate a mass communication using a city resource within 60 days immediately prior to the date of any primary election or general election (whether regular, special, or runoff), for any federal, state, or local office in which the councilmember is a candidate on the ballot for election; provided that this rule does not apply to:

(1) Direct responses to specific inquiries or requests from an individual;



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- (2) Communications sent to federal, state, or city government officials;
- (3) News releases distributed directly to the media;
- (4) Emergency or disaster notifications dealing with immediate threats to life and safety; and
- (5) Communications that are required by law.

B. For purposes of this rule:

"City resource" means any property or asset owned by the city, including but not limited to a facility; moneys; equipment such as a computer, a telephone, or vehicle; supplies; postage; electronic mail; letterhead or a title; and city-compensated personnel time; and

"Mass communication" means any communication of substantially identical content to 200 or more individuals regardless of the form of the media, including mail, electronic communications, and advertisements.

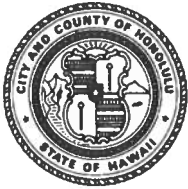
C. Nothing in this rule prevents a councilmember from disseminating a mass communication that is disseminated, created, and otherwise paid for without using city resources, including the use of mail and electronic communications such as electronic mail, website or social media postings, text messages, and recorded telephone messages or robocalls."

; and

BE IT FURTHER RESOLVED that in the foregoing RESOLVED clause, new rule language is underscored; and

BE IT FURTHER RESOLVED that this resolution takes effect upon its adoption; and

BE IT FURTHER RESOLVED that the Director of Council Services is directed to incorporate the amendment into the "Rules of the Council of the City and County of Honolulu, January 2023"; update the Rules' Adoption and Amendment History and the page numbers in the Table of Contents; and provide Councilmembers, the City Clerk, and the City Administration with current sets thereof; and



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BE IT FINALLY RESOLVED that copies of this resolution be transmitted to the Mayor, the Managing Director, and the Corporation Counsel.

INTRODUCED BY:



DATE OF INTRODUCTION:

SEP 17 2026

Honolulu, Hawai'i

Councilmembers

Report Title:

Rules of the Council of the City and County of Honolulu; Mass Communications;
Dissemination; City Resources; Councilmembers; Elections; Candidates; Amendment

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