A BILL FOR AN ACT

PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF HAWAII RELATING TO THE RESIDENCY REQUIREMENT FOR MEMBERS OF THE LEGISLATURE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that the State has a legitimate interest in maintaining a responsive and responsible government. Candidates who are familiar with and aware of the residents and conditions specific to the area they seek to represent are more desirable and beneficial to those residents. Requiring candidates to reside for at least twelve months in the district from which they seek to be elected serves a dual purpose: better informing voters of their choices for representation and ensuring that the affairs and needs of each respective district are understood and served by those elected to office.

The purpose of this Act is to propose an amendment to article III, section 6, of the Constitution of the State of Hawaii to amend the residency requirements for candidates for the office of state senator or representative by requiring the candidates to be residents of the district from which they seek
to be elected for not less than twelve consecutive months prior
to the next succeeding general election, except in the year of
the first general election following reapportionment when
candidates shall be required to be residents of the district
from which they seek to be elected for not less than one month
prior to the deadline for filing nomination papers.

SECTION 2. Article III, section 6, of the Constitution of
the State of Hawaii is amended to read as follows:

"QUALIFICATIONS OF MEMBERS

Section 6. No person shall be eligible to serve as a
member of the senate unless the person has been a resident of
the State for not less than three years, has been a resident of
the senatorial district from which the person seeks to be
elected for not less than twelve consecutive months prior to the
next succeeding general election and thereafter remains a
qualified voter of the senatorial district from which the person
seeks to be elected, and has attained the age of majority [and
is, prior to filing nomination papers and thereafter continues
to be, a qualified voter of the senatorial district from which
the person seeks to be elected]; except that in the year of the
first general election following reapportionment, but prior to
the primary election:

(1) An incumbent senator may move to a new district
without being disqualified from completing the
remainder of the incumbent senator's term; and

(2) A qualified voter who resides in a district for not
less than one month prior to the deadline for filing
nomination papers and thereafter remains a qualified
voter of the senatorial district from which the person
seeks to be elected shall be eligible to serve as a
member of the senate.

No person shall be eligible to serve as a member of the
house of representatives unless the person has been a resident
of the State for not less than three years, has been a resident
of the representative district from which the person seeks to be
elected for not less than twelve consecutive months prior to the
next succeeding general election and thereafter remains a
qualified voter of the representative district from which the
person seeks to be elected, and has attained the age of majority
(and is, prior to filing nomination papers and thereafter
continues to be, a qualified voter of the representative
district from which the person seeks to be elected; except that
in the year of the first general election following
reapportionment, but prior to the primary election:

(1) An incumbent representative may move to a new district
without being disqualified from completing the
remainder of the incumbent representative's term:
and

(2) A qualified voter who resides in a district for not
less than one month prior to the deadline for filing
nomination papers and thereafter remains a qualified
voter of the representative district from which the
person seeks to be elected shall be eligible to serve
as a member of the house of representatives."

SECTION 3. The question to be printed on the ballot shall
be as follows:

"To be eligible to be a candidate for the state senate
or house of representatives, shall a person be
required to be a resident of the legislative district
from which the person seeks to be elected for not less
than twelve consecutive months prior to the next
general election, except in the year of the first
general election following reapportionment when a
candidate shall be required to be a resident of the
legislative district for not less than one month prior
to the deadline for filing nomination papers?"
SECTION 4. Constitutional material to be repealed is
bracketed and stricken. New constitutional material is
underscored.
SECTION 5. This amendment shall take effect upon
compliance with article XVII, section 3, of the Constitution of
the State of Hawaii.

INTRODUCED BY:  

Mark L. Takai
John M. Riki
Bill Kosaki
Jen tone
Samuel Okuy
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Report Title:
Constitutional Amendment; Residency; State Legislators

Description:
Proposes to amend the state constitution to require candidates for the state senate or house of representatives to be a resident of the legislative district from which the person is a candidate for not less than twelve consecutive months prior to the next general election, except in the year of the first general election following reapportionment when the candidate shall be required to be a resident of the legislative district for not less than one month prior to the deadline for filing nomination papers.

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