
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
2 legitimate interest in maintaining a responsive and responsible
3 government. Candidates who are familiar with and aware of the
4 residents and conditions specific to the area they seek to
5 represent are more desirable and beneficial to those residents.
6 Requiring candidates to reside for at least twelve months in the
7 district from which they seek to be elected serves a dual
8 purpose: better informing voters of their choices for
9 representation and ensuring that the affairs and needs of each
10 respective district are understood and served by those elected
11 to office.

12 The purpose of this Act is to propose an amendment to
13 article III, section 6, of the Constitution of the State of
14 Hawaii to amend the residency requirements for candidates for
15 the office of state senator or representative by requiring the
16 candidates to be residents of the district from which they seek



1 to be elected for not less than twelve consecutive months prior
2 to the next succeeding general election, except in the year of
3 the first general election following reapportionment when
4 candidates shall be required to be residents of the district
5 from which they seek to be elected for not less than one month
6 prior to the deadline for filing nomination papers.

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

9 **"QUALIFICATIONS OF MEMBERS**

10 **Section 6.** No person shall be eligible to serve as a
11 member of the senate unless the person has been a resident of
12 the State for not less than three years, has been a resident of
13 the senatorial district from which the person seeks to be
14 elected for not less than twelve consecutive months prior to the
15 next succeeding general election and thereafter remains a
16 qualified voter of the senatorial district from which the person
17 seeks to be elected, and has attained the age of majority [and
18 ~~is, prior to filing nomination papers and thereafter continues~~
19 ~~to be, a qualified voter of the senatorial district from which~~
20 ~~the person seeks to be elected]~~; except that in the year of the



1 first general election following reapportionment, but prior to
2 the primary election~~[, an]~~:

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

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

12 No person shall be eligible to serve as a member of the
13 house of representatives unless the person has been a resident
14 of the State for not less than three years, has been a resident
15 of the representative district from which the person seeks to be
16 elected for not less than twelve consecutive months prior to the
17 next succeeding general election and thereafter remains a
18 qualified voter of the representative district from which the
19 person seeks to be elected, and has attained the age of majority
20 ~~[and is, prior to filing nomination papers and thereafter~~
21 ~~continues to be, a qualified voter of the representative~~



1 ~~district from which the person seeks to be elected~~]; except that
2 in the year of the first general election following
3 reapportionment, but prior to the primary election~~[, an]~~]:

4 (1) An incumbent representative may move to a new district
5 without being disqualified from completing the
6 remainder of the incumbent representative's term~~[-]~~;
7 and

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

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

16 "To be eligible to be a candidate for the state senate
17 or house of representatives, shall a person be
18 required to be a resident of the legislative district
19 from which the person seeks to be elected for not less
20 than twelve consecutive months prior to the next
21 general election, except in the year of the first



1 general election following reapportionment when a
 2 candidate shall be required to be a resident of the
 3 legislative district for not less than one month prior
 4 to the deadline for filing nomination papers?"

5 SECTION 4. Constitutional material to be repealed is
 6 bracketed and stricken. New constitutional material is
 7 underscored.

8 SECTION 5. This amendment shall take effect upon
 9 compliance with article XVII, section 3, of the Constitution of
 10 the State of Hawaii.

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INTRODUCED BY:

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H.B. NO. 1263

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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