
A BILL FOR AN ACT

PROPOSING AN AMENDMENT TO ARTICLE III, SECTION 15, OF THE HAWAII STATE CONSTITUTION TO ENACT A SUPERMAJORITY VOTING REQUIREMENT FOR PASSAGE OF LEGISLATION PROPOSING TO RAISE OR CREATE TAXES.

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

1 SECTION 1. The legislature finds that the process of
2 passing legislation to increase taxes to resolve budget problems
3 is too cursory, and results in a significant burden to the
4 people of Hawaii. The prime example was a 2011 proposed tax on
5 pensions, which the people of Hawaii are contractually promised,
6 have planned to receive, and expect that it not be diminished or
7 impaired in any way.

8 The legislature also finds that Hawaii has the highest
9 "sales" tax equivalent in the nation, has the third highest
10 marginal personal income tax rate, and is listed as 39.2 per
11 cent for combined federal and corporate tax and state corporate
12 tax, which is only 2.4 per cent below Iowa, which ranks the
13 worst nationally.

14 The legislature also finds that increasing the difficulty
15 for passing taxes may serve as a mechanism for reducing wasteful
16 government spending.



1 The purpose of this Act is to propose an amendment to
2 Article III, section 15, of the Constitution of the State of
3 Hawaii to enact a two-thirds supermajority requirement for
4 passage of legislation proposing to raise taxes or create new
5 taxes.

6 SECTION 2. Article III, section 15, of the Constitution of
7 the State of Hawaii is amended to read as follows:

8 **"PASSAGE OF BILLS**

9 **Section 15.** No bill shall become law unless it shall pass
10 three readings in each house on separate days. No bill shall
11 pass third or final reading in either house unless printed
12 copies of the bill in the form to be passed shall have been made
13 available to the members of that house for at least forty-eight
14 hours.

15 Every bill when passed by the house in which it originated,
16 or in which amendments thereto shall have originated, shall
17 immediately be certified by the presiding officer and clerk and
18 sent to the other house for consideration.

19 Any bill pending at the final adjournment of a regular
20 session in an odd-numbered year shall carry over with the same
21 status to the next regular session. Before the carried-over



1 bill is enacted, it shall pass at least one reading in the house
2 in which the bill originated.

3 Passage of legislation proposing to increase the rates for
4 any tax collected by the State or to enact a new tax to be
5 collected by the State shall require a two-thirds vote of all
6 members to which each house is entitled."

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

9 "Shall the Constitution be amended to include a two-thirds
10 supermajority voting requirement for the legislature to pass
11 laws that would raise taxes or create new taxes?"

12 SECTION 4. New constitutional material is underscored.

13 SECTION 5. This amendment shall take effect upon
14 compliance with Article XVII, section 3, of the Constitution of
15 the State of Hawaii.

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INTRODUCED BY:

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Report Title:

Constitutional Amendment; Bill Passage; Supermajority

Description:

Proposes a constitutional amendment to include a two-thirds supermajority voting requirement for the legislature to pass laws that raise taxes or create new taxes.

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

