

---

---

## A BILL FOR AN ACT

RELATING TO ELECTIONS.

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

1           SECTION 1. The legislature finds the 2008 nomination  
2 period for elective office led to chaos and controversy. When a  
3 last minute candidacy for the Honolulu mayoral campaign was  
4 announced, it resulted in an available city council seat. In  
5 the race to file nomination papers, a state representative seat  
6 was made available. News accounts told of people obtaining  
7 nomination papers within thirty minutes of the filing deadline.  
8 Candidates scrambled to find signatures for nomination papers  
9 and the elections office was in such a state of confusion, state  
10 Democratic party leaders intervened to persuade officials to  
11 allow candidates to collect signatures and file nomination  
12 papers five minutes prior to the filing deadline. The State's  
13 chief election officer later invalidated the candidacy.

14           In the city clerk's office after invalidating a city  
15 council nomination, the clerk felt compelled to have late  
16 decisions referred to the city ethics commission for review to



1 improve procedures and ensure that the office is in compliance  
2 with city standards of conduct.

3 In response to the controversial decisions resulting from a  
4 confusing and chaotic nomination period, the Honolulu city  
5 council on September 24, 2008, adopted a resolution urging the  
6 legislature to require that nomination papers for elective  
7 office be obtained at least twenty-four hours prior to the  
8 filing deadline.

9 The purpose of this Act is to establish a statutory  
10 deadline by which a person seeking candidacy for elective office  
11 must obtain nomination papers.

12 SECTION 2. Section 12-2.5, Hawaii Revised Statutes, is  
13 amended to read as follows:

14 **"§12-2.5 Nomination papers; when available. (a)**

15 Nomination papers shall be made available from the first working  
16 day of February in every even-numbered year; provided that in  
17 the case of a special primary or special election, nomination  
18 papers shall be made available at least ten days prior to the  
19 close of filing.

20 (b) Nomination papers shall not be available within  
21 twenty-four hours prior to the close of filing for any elective  
22 office; provided that if the close of filing deadline falls on a



1 Monday, no nomination papers shall be made available after the  
2 Friday preceding the Monday filing deadline."

3 SECTION 3. New statutory material is underscored.

4 SECTION 4. This Act shall take effect upon its approval.

5

INTRODUCED BY:

*Kal Abdul*  
*Calvin K. Day*

*Debra A. Kelatti*

*Hannu Mouri*

*[Signature]*

*[Signature]*

*[Signature]*

*[Signature]*

*[Signature]*

*[Signature]*

*[Signature]*

*Tom Brown*

*[Signature]*

*[Signature]*

*Barbara Mammato*



**Report Title:**

Primary Elections; Nomination Papers; Deadline to Obtain

**Description:**

Establishes a twenty-four hour cutoff on the availability of nomination papers prior to the close of filing for any elective office.

