

JAN 28 2009

A BILL FOR AN ACT

PROPOSING AN AMENDMENT TO ARTICLE II, SECTION 1, OF THE HAWAII CONSTITUTION, TO DELETE THE ONE-YEAR RESIDENCY AND VOTER REGISTRATION REQUIREMENT FOR VOTING AND TO FORTIFY THE RIGHT TO VOTE.

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

1 SECTION 1. The legislature finds that the citizens of the
2 State of Hawaii do not have a constitutional right to vote. The
3 Constitution of the State of Hawaii allows a citizen to vote if
4 the person is a "voter registered as provided by law" and has
5 been a "resident of this State not less than one year next
6 preceding the election." In Hawaii and other states and on the
7 federal level, voting is a privilege granted to citizens at the
8 discretion of the government through the enactment of laws.

9 The legislature further finds that citizens have an
10 inherent right to vote as part of their responsibility as
11 citizens of the State, and that this right should not be
12 hindered without just cause. The right to vote is necessary to
13 effectuate the rule of one person, one vote, and to enable
14 citizens to govern through the representative form of
15 government. The legislature, therefore, believes that a
16 constitutional right to vote should be established, that



1 barriers to the exercise of this rights should be removed, and
2 that government should encourage citizens to exercise this
3 right.

4 The purpose of this Act is to propose a constitutional
5 amendment to provide for the right to vote for citizens of the
6 State by repealing the one-year residency and voter registration
7 requirement for voting.

8 SECTION 2. Article 2, section 1, of the Constitution of
9 the State of Hawaii is amended to read as follows:

10 "ARTICLE II

11 SUFFRAGE AND ELECTIONS QUALIFICATIONS

12 Section 1. Every citizen of the United States who shall
13 have attained the age of eighteen years [~~have been~~] and is a
14 resident of this State [~~not less than one year next preceding~~
15 ~~the election and be a voter registered as provided by law~~],
16 shall be qualified to vote in any state or local election. This
17 right shall not be denied or abridged by the State of Hawaii or
18 any county, except insofar as to safeguard the integrity of
19 elections as provided by law."

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



S.B. NO. 1659

1 "Shall every citizen of the State of Hawaii who has attained
 2 the age of eighteen years have a constitutional right to
 3 vote?"

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

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

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INTRODUCED BY: _____

~~_____~~

By Request

Will Syro

Arvid J. Jorgensen

John A. ...

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Report Title:

Right to Vote

Description:

Proposes constitutional amendment to repeal the one-year residency and voter registration requirement for voting; establishes a constitutional right to vote for citizens of Hawaii eighteen years old and over.

