
A BILL FOR AN ACT

RELATING TO ELECTIONS.

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

1 SECTION 1. Chapter 11, Hawaii Revised Statutes, is amended
2 by adding a new section to be appropriately designated and to
3 read as follows:

4 "§11- Elected county officials; residency requirement.
5 (a) Notwithstanding any other law to the contrary, any person
6 who is a candidate for an elected county office that represents
7 a specific county council district shall have been a resident of
8 the county council district from which the person is to be
9 elected or appointed for at least one year immediately preceding
10 the general or special election or appointment.

11 (b) Upon filing nomination papers, the candidate shall
12 furnish three forms of proof of district residency. Acceptable
13 forms of proof of district residency include electric bills and
14 proof of mail delivery to the candidate's home address.

15 (c) Any official who receives a candidate's nomination
16 papers shall make an initial determination as to whether the
17 candidate has met the requirements of this section. A person
18 aggrieved by the official's determination and who is and



1 continues to be in compliance with the requirements of this
 2 section may petition the circuit court for an expedited review
 3 of the determination after service of a certified copy of the
 4 determination. The review by the court shall be confined to the
 5 administrative record. The court shall, upon request by any
 6 party, hear oral arguments and receive written briefs.
 7 Discovery shall not be permitted. The court shall affirm the
 8 determination or, if it finds that the determination is
 9 arbitrary and capricious, it shall reverse or modify the
 10 determination.

11 (d) For purposes of this section, residency shall be
 12 determined pursuant to section 11-13."

13 SECTION 2. New statutory material is underscored.

14 SECTION 3. This Act shall take effect upon its approval.

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INTRODUCED BY:

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Report Title:

County Elected Office; Residency Requirement

Description:

Requires any candidate for an elected county office which represents a specific county council district to be a resident of that county council district for one year prior to the general or special election or appointment. Authorizes the official who receives the nomination papers to determine whether the requirements of this section are met. Provides for expedited court review.

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

