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## A BILL FOR AN ACT

RELATING TO ELECTIONS.

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

1           SECTION 1. Section 12-3, Hawaii Revised Statutes, is  
2 amended by amending subsection (a) to read as follows:

3           "(a) No candidate's name shall be printed upon any  
4 official ballot to be used at any primary, special primary, or  
5 special election unless a nomination paper was filed in the  
6 candidate's behalf and in the name by which the candidate is  
7 commonly known. The nomination paper shall be in a form  
8 prescribed and provided by the chief election officer containing  
9 substantially the following information:

10           (1) A statement by the registered voters signing the form  
11           that they are eligible to vote for the candidate;

12           (2) A statement by the registered voters signing the form  
13           that they nominate the candidate for the office  
14           identified on the nomination paper issued to the  
15           candidate;

16           (3) The residence address and county in which the  
17           candidate resides;



- 1           (4) The legal name of the candidate, the name by which the  
2           candidate is commonly known, if different, the office  
3           for which the candidate is running, and the  
4           candidate's party affiliation or nonpartisanship; all  
5           of which are to be placed on the nomination paper by  
6           the chief election officer or the clerk prior to  
7           releasing the form to the candidate;
- 8           (5) A tax clearance certificate from the director of  
9           taxation and the Internal Revenue Service to the  
10           effect that all tax returns due have been filed, and  
11           all taxes, interest, and penalties levied or accrued  
12           under title 14 that are administered by the department  
13           of taxation and under the Internal Revenue Code  
14           against the candidate have been paid, or that the  
15           candidate has entered into and is complying with an  
16           installment plan agreement with the department of  
17           taxation for the payment of delinquent taxes;
- 18        ~~[-5-]~~ (6) Space for the name, signature, date of birth,  
19           last four digits of the social security number, and  
20           residence address of each registered voter signing the  
21           form, and other information as determined by the chief  
22           election officer; provided that no more than the last



1 four digits of a voter's social security number shall  
2 be required;

3 [~~6~~] (7) A sworn certification by self-subscribing oath by  
4 the candidate that the candidate qualifies under the  
5 law for the office the candidate is seeking and that  
6 the candidate has determined that, except for the  
7 information provided by the registered voters signing  
8 the nomination papers, all of the information on the  
9 nomination papers is true and correct;

10 [~~7~~] (8) A sworn certification by self-subscribing oath by  
11 a party candidate that the candidate is a member of  
12 the party;

13 [~~8~~] (9) A sworn certification by self-subscribing oath,  
14 where applicable, by the candidate that the candidate  
15 has complied with the provisions of article II,  
16 section 7, of the Constitution of the State of Hawaii;

17 [~~9~~] (10) A sworn certification by self-subscribing oath  
18 by the candidate that the candidate is in compliance  
19 with section 831-2, dealing with felons, and is  
20 eligible to run for office; and

21 [~~10~~] (11) The name the candidate wishes printed on the  
22 ballot and the mailing address of the candidate."



1 SECTION 2. Statutory material to be repealed is bracketed  
2 and stricken. New statutory material is underscored.

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

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INTRODUCED BY:



JAN 26 2011



**Report Title:**

Elected Officials; Qualifications; Tax Clearance

**Description:**

Requires a candidate for elected office to include with the candidate's nomination papers a tax clearance certificate from the director of taxation and the IRS.

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