
A BILL FOR AN ACT

PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF
HAWAII RELATING TO RESIDENCY REQUIREMENTS FOR MEMBERS OF
THE LEGISLATURE.

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

1 SECTION 1. The purpose of this Act is to propose an
2 amendment to article III, section 6, of the Constitution of the
3 State of Hawaii to amend the residency requirements for
4 candidates for the office of state senate or house of
5 representatives by requiring the candidates to be residents of
6 the district from which they seek to be elected for not less
7 than twelve consecutive months prior to the next succeeding
8 general election, except in the year of the first general
9 election following reapportionment when candidates shall be
10 required to be residents of the district from which they seek to
11 be elected for not less than one month.

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

14 **"QUALIFICATIONS OF MEMBERS**

15 **Section 6.** No person shall be eligible to serve as a
16 member of the senate unless the person has been a resident of
17 the State for not less than three years, has been a resident of



1 the senatorial district from which the person seeks to be
2 elected for not less than twelve consecutive months prior to the
3 next succeeding general election, and thereafter remains a
4 qualified voter of the senatorial district from which the person
5 seeks to be elected, and has attained the age of majority [and
6 ~~is, prior to filing nomination papers and thereafter continues~~
7 ~~to be, a qualified voter of the senatorial district from which~~
8 ~~the person seeks to be elected];~~ except that in the year of the
9 first general election following reapportionment, but prior to
10 the primary election[~~an~~]:

- 11 (1) An incumbent senator may move to a new district
12 without being disqualified from completing the
13 remainder of the incumbent senator's term[~~-~~]; and
- 14 (2) A qualified voter who resides in a district for not
15 less than one month prior to the deadline for filing
16 nomination papers and thereafter remains a qualified
17 voter of the senatorial district from which the person
18 seeks to be elected shall be eligible to serve as a
19 member of the senate.

20 No person shall be eligible to serve as a member of the
21 house of representatives unless the person has been a resident
22 of the State for not less than three years, has been a resident



1 of the representative district from which the person seeks to be
2 elected for not less than twelve consecutive months prior to the
3 next succeeding general election, and thereafter remains a
4 qualified voter of the representative district from which the
5 person seeks to be elected, and has attained the age of majority
6 ~~[and is, prior to filing nomination papers and thereafter~~
7 ~~continues to be, a qualified voter of the representative~~
8 ~~district from which the person seeks to be elected];~~ except that
9 in the year of the first general election following
10 reapportionment, but prior to the primary election~~[, an]~~:

- 11 (1) An incumbent representative may move to a new district
12 without being disqualified from completing the
13 remainder of the incumbent representative's term[-];
14 and
15 (2) A qualified voter who resides in a district for not
16 less than one month prior to the deadline for filing
17 nomination papers and thereafter remains a qualified
18 voter of the representative district from which the
19 person seeks to be elected shall be eligible to serve
20 as a member of the house of representatives."

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



1 "To be eligible to be a candidate for the state senate
2 or house of representatives, shall a person be
3 required to be a resident of the legislative district
4 from which the person seeks to be elected for not less
5 than twelve consecutive months prior to the next
6 general election, except in the year of the first
7 general election following reapportionment when a
8 candidate shall be required to be a resident of the
9 legislative district for not less than one month prior
10 to the deadline for filing nomination papers?"

11 SECTION 4. Constitutional material to be repealed is
12 bracketed and stricken. New constitutional material is
13 underscored.

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



Report Title:

Constitutional Amendment; Residency; State Legislators

Description:

Proposes to amend the state constitution to require candidates for the state senate or house of representatives to be a resident of the legislative district from which the person is a candidate for not less than twelve consecutive months prior to the next general election, except in the year of the first general election following reapportionment when the candidate shall be required to be a resident of the legislative district for not less than one month prior to the deadline for filing nomination papers. (SD1)

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