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# A BILL FOR AN ACT

PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF  
HAWAII TO PROVIDE FOR RECALL.

**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 II of the Hawaii Constitution to provide  
3 for recall. The legislature finds that no method exists for the  
4 recall of state elected officials in Hawaii and that such a  
5 political mechanism would be in the best interests of Hawaii.  
6 Recall gives voters the right to reconsider their choice of an  
7 elected official. This Act is self-executing, but the  
8 legislature may enact legislation to facilitate its operation,  
9 including the timing and manner of a recall election, provided  
10 that the legislation may not restrict or limit the provisions of  
11 this section or the powers reserved in this section.

12           SECTION 2. Article II of the Hawaii Constitution is  
13 amended by adding a new section to be appropriately designated  
14 and to read as follows:

15           "Section . Recall. The power of recall of elected  
16 government officials shall be reserved to the people. A petition



1 for recall must contain the signatures of qualified electors  
2 equal to at least 25% of the vote cast for the office held  
3 within the same district or jurisdiction as that officeholder.  
4 Signatures must be dated within 60 days from the filing of a  
5 recall petition. Only one petition for recall may be filed  
6 against an official throughout the duration of their term.  
7 Within 30 days of receiving a sufficient petition, the office of  
8 elections will announce a date for a recall election, which  
9 shall fall on a Tuesday. Insufficient petitions shall be given  
10 5 days to correct any delinquencies.

11 Challenges to recall petitions must be filed within ten days  
12 of the grant of a successful recall petition. Grounds for  
13 challenge include: duplicitous signing of petition by a single  
14 individual; fraudulent signatures; signatures by ineligible  
15 parties; misrepresentation by circulator of the purpose of the  
16 petition; signatures obtained prior to the filing of the  
17 petition or after the 60 day allotment has elapsed. All  
18 challenges shall be reviewed and ruled upon by the office of  
19 elections within 14 days.

20 Incumbent officeholders will not be required to file any  
21 documentation and shall automatically appear as a candidate on



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1 the recall ballot. A candidate shall not appear on the ballot  
 2 if the candidate fails to file the appropriate paperwork with  
 3 the office of elections by the filing deadline which shall be  
 4 the Tuesday preceding the recall election."

5 SECTION 3. The question to be printed on the ballot shall  
 6 be as follows:

7 "Shall the State Constitution be amended to specify that the  
 8 power of recall of elected government officials shall be  
 9 reserved to the people?"

10 SECTION 4. New constitutional material is underscored.

11 SECTION 5. This amendment shall take effect upon compliance  
 12 with article XVII, section 3, of the Hawaii Constitution.

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INTRODUCED BY:

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**Report Title:**

Recall

**Description:**

Amends article II of the state constitution to provide for recall.

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

