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# A BILL FOR AN ACT

PROPOSING AMENDMENTS TO ARTICLE V OF THE CONSTITUTION OF THE STATE OF HAWAII TO AUTHORIZE LEGISLATION REGARDING THE PROCESS BY WHICH CRIMINAL REPRIEVES, COMMUTATIONS, AND PARDONS ARE SUBMITTED TO AND CONSIDERED BY THE GOVERNOR.

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

1           SECTION 1. The purpose of this Act is to propose  
2 amendments to article V, section 5, of the Constitution of the  
3 State of Hawaii to allow legislation regarding the process by  
4 which executive reprieves, commutations, and pardons are  
5 submitted to and considered by the governor.

6           SECTION 2. Article V, section 5, of the Constitution of  
7 the State of Hawaii is amended to read as follows:

**"EXECUTIVE POWERS**

9           **Section 5.** The governor shall be responsible for the  
10 faithful execution of the laws. The governor shall be commander  
11 in chief of the armed forces of the State and may call out such  
12 forces to execute the laws, suppress or prevent insurrection or  
13 lawless violence or repel invasion. The governor shall, at the  
14 beginning of each session, and may, at other times, give to the  
15 legislature information concerning the affairs of the State and



1 recommend to its consideration such measures as the governor  
2 shall deem expedient.

3       The governor may grant reprieves, commutations and pardons,  
4 after conviction, for all offenses, subject to [~~regulation~~]  
5 procedures and regulations prescribed by law [~~as to the manner~~  
6 ~~of applying for the same~~]. The legislature may, by [~~general~~]  
7 law, authorize the governor to grant pardons before conviction,  
8 to grant pardons for impeachment and to restore civil rights  
9 denied by reason of conviction of offenses by tribunals other  
10 than those of this State.

11       The governor shall appoint an administrative director to  
12 serve at the governor's pleasure."

13       SECTION 3. The question to be printed on the ballot shall  
14 be as follows:

15       "Shall the Constitution of the State of Hawaii be amended  
16 to provide that the Governor's pardon power shall be  
17 subject to procedures and regulations prescribed by law?"

18       SECTION 4. Constitutional material to be repealed is  
19 bracketed and stricken. New constitutional material is  
20 underscored.



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

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INTRODUCED BY: \_\_\_\_\_

*Scam*

By Request

**JAN 15 2020**



# H.B. NO. 1746

**Report Title:**

Honolulu Prosecuting Attorney Package; Constitutional Amendment;  
Executive Pardon

**Description:**

Proposes amendments to the Constitution of the State of Hawaii relating to the authorization of legislation governing the process by which executive reprieves, commutations, and pardons are submitted to and considered by the governor.

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

