

Honolulu, Hawaii

, 2020

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RE: S.B. No. 2139
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirtieth State Legislature
Regular Session of 2020
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 2139 entitled:

"A BILL FOR AN ACT RELATING TO VACANCIES,"

begs leave to report as follows:

The purpose of this measure is to amend the filing deadlines for candidates attempting to fill vacant state Senate seats.

Your Committee received testimony in support of this measure from the Office of Elections.

Your Committee finds that under existing law if a vacancy occurs after the close of candidate filing, a candidate who has already filed for a seat will find themselves in a situation where they cannot withdraw and file for the special vacancy election because the ability for a candidate to withdraw for any reason is limited to the day immediately following the close of filing. This measure amends filing deadlines to coincide with the close of candidate filing. This measure also enables a single special election to be held in conjunction with the general election in certain circumstances and conforms deadlines to the federal requirements of the Uniformed and Overseas Citizens Absentee Voting Act.

Your Committee has amended this measure by:

SB2139 HD1 HSCR JUD HMS 2020-2181-1



- (1) Allowing any candidate to withdraw after the close of filing but no later than the seventy-fifth day before the next general election to fill a state legislative vacancy;
- (2) Making it effective retroactively to comply with federal law; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2139, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2139, H.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



CHRIS LEE, Chair



