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TESTIMONY OF THE
CHIEF ELECTION OFFICER, OFFICE OF ELECTIONS
TO THE SENATE COMMITTEE ON GOVERNMENT OPERATIONS
ON SENATE BILL NO. 2139
RELATING TO VACANCIES

January 28, 2020

Chair Thielen and members of the Senate Committee on Government Operations, thank you for the opportunity to testify in support of Senate Bill No. 2139. The purpose of this bill is to amend filing deadlines for candidates attempting to fill vacant state senate seats.

Currently, if a vacancy occurs after the close of candidate filing, a candidate who has already filed will find themselves in a situation where they cannot withdraw and file for the special vacancy election. The ability for a candidate to withdraw for any reason is limited to the day immediately following the close of filing. HRS §11-117(a). As such, we are proposing amending HRS §17-3 to coincide with the close of candidate filing.

Further, this bill amends the timing of a vacancy that occurs later than the tenth day prior to the close of candidate filing through the ninety-fifth day prior to the general election. This is meant to establish a single special election to be held in conjunction with the general election with candidates nominated by the county committees of the political parties and a nonpartisan candidate selected by lot. This language is similar to the existing language in HRS § 17-3(b)(3), however, the deadlines have been amended to meet the federal requirement of the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) to mail covered voters a ballot 45 days prior to the election.

Thank you for the opportunity to testify in support of Senate Bill No. 2139.