

JAN 24 2024

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# A BILL FOR AN ACT

PROPOSING AN AMENDMENT TO ARTICLE 1, SECTION 5 OF THE HAWAII  
CONSTITUTION RELATING TO DUE PROCESS AND EQUAL PROTECTION.

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

1 SECTION 1. Article 1, section 5, of the Constitution of  
2 the State of Hawaii is amended to read as follows:

3 "DUE PROCESS AND EQUAL PROTECTION

4 Section 5. No person shall be deprived of life, liberty or  
5 property without due process of law, nor be denied the equal  
6 protection of the laws, nor be denied the enjoyment of the  
7 person's civil rights or be discriminated against in the  
8 exercise thereof because of race, ethnicity, national origin,  
9 age, disability, religion, [~~sex or~~ ancestry[-], or sex,  
10 including sexual orientation, gender identity, gender  
11 expression, pregnancy, and pregnancy outcomes."

12 SECTION 2. The question to be printed on the ballot shall  
13 be as follows:

14 "Shall the state constitution be amended to clarify that no  
15 person shall be deprived of life, liberty, or property  
16 without due process of law, nor be denied the equal



1 protection of the laws, nor be denied the enjoyment of the  
2 person's civil rights or be discriminated against in the  
3 exercise thereof because of ethnicity, national origin,  
4 age, disability, or sex, including sexual orientation,  
5 gender identity, gender expression, pregnancy, and  
6 pregnancy outcomes?"

7 SECTION 3. Constitutional material to be repealed is  
8 bracketed and stricken. New constitutional material is  
9 underscored.

10 SECTION 4. This amendment shall take effect upon  
11 compliance with article XVII, section 3, of the Constitution of  
12 the State of Hawaii.

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INTRODUCED BY: 



# S.B. NO. 3351

**Report Title:**

Constitutional Amendment; Due Process; Equal Protection;  
Discrimination

**Description:**

Proposes a constitutional amendment to prohibit discrimination against a person because of ethnicity, national origin, age, disability, or sex, including sexual orientation, gender identity, gender expression, pregnancy, and pregnancy outcomes.

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

