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# A BILL FOR AN ACT

RELATING TO THE PRIMARY ELECTION DATE.

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

1           SECTION 1. The legislature finds that Hawaii has the last  
2 primary election in the nation. Presently, the primary election  
3 is held on the second to last Saturday in September, provided  
4 there are at least forty-five days between the primary and  
5 general election. The legislature also finds that over the  
6 years increased federal obligations, mounting legal challenges,  
7 and a substantial increase in the utilization of absentee voting  
8 have made it especially critical to have more time between the  
9 primary and general election.

10           The purpose of this Act is to increase the amount of time  
11 between the primary and general election to allow for the  
12 increasing federal obligations, mounting legal challenges, and  
13 increasing utilization of absentee voting.

14           SECTION 2. Section 11-212, Hawaii Revised Statutes, is  
15 amended by amending subsections (a) and (b) to read as follows:

16           "(a) (1) The candidate committee of each candidate whose name  
17                   will appear on the ballot in the immediately  
18                   succeeding election shall file a preliminary report



1 with the commission or appropriate county clerk's  
2 office. Preliminary reports shall be filed on forms  
3 provided by the commission no later than 4:30 p.m. on  
4 the following dates:

5 (A) July [~~thirtieth~~] fifth of the year of the primary  
6 election;

7 (B) Ten calendar days prior to each primary and  
8 initial special election; [~~and~~]

9 (C) September thirtieth of the year of the primary  
10 election; and

11 [~~(C)~~] (D) Ten calendar days prior to a special or general  
12 election.

13 (2) Each report shall be certified pursuant to section  
14 11-195 and shall contain the following information  
15 which shall be current through the thirtieth calendar  
16 day prior to the filing of the report filed on the  
17 [~~thirtieth~~] fifth of July and fifth calendar day prior  
18 to the filing of other preliminary reports:

19 (A) The aggregate sum of all contributions and other  
20 campaign receipts received;

21 (B) The amount and date of deposit of the  
22 contribution and the name and address of each



1 donor who contributes an aggregate of more than  
2 \$100 during an election period, which has not  
3 previously been reported; provided that if all  
4 the information is not on file, the contribution  
5 shall be returned to the donor within thirty days  
6 of deposit;

7 (C) The amount and date of deposit of each  
8 contribution and the name, address, employer, and  
9 occupation of each donor who contributes an  
10 aggregate of \$1,000 or more during an election  
11 period, which has not previously been reported;  
12 provided that if all the information is not on  
13 file, the contribution shall be returned to the  
14 donor within thirty days of deposit;

15 (D) All expenditures made, incurred, or authorized by  
16 or for a candidate, including the name and  
17 address of each payee and the amount, date, and  
18 purpose of each expenditure; and

19 (E) A current statement of the balance on hand or  
20 deficit.

21 (b) Each noncandidate committee shall file a preliminary  
22 report with the commission, on forms provided by the commission,



1 no later than 4:30 p.m. on the tenth calendar day prior to each  
2 primary election, on September thirtieth of the year of the  
3 primary election, and on the tenth calendar day prior to a  
4 special or general election. Each report shall be certified  
5 pursuant to section 11-195 and shall contain the following  
6 information, which shall be current through the fifth calendar  
7 day prior to the filing of a preliminary report:

- 8 (1) The aggregate sum of all contributions and other  
9 campaign receipts received;
- 10 (2) The amount and date of deposit of the contribution and  
11 the name, address, employer, and occupation of each  
12 donor who contributes an aggregate of \$100 or more  
13 during an election period, which has not previously  
14 been reported; provided that if all the information is  
15 not on file, the contribution shall be returned to the  
16 donor within thirty days of deposit;
- 17 (3) The amount and date of each disbursement or  
18 contribution made to a candidate, party, organization,  
19 or committee, including the name and address of each  
20 payee, which has not previously been reported;
- 21 (4) The amount and date of each expenditure made or  
22 incurred by the committee for or against any



1 candidate, ballot issue, or on behalf of another  
2 committee, which has not previously been reported; and  
3 (5) A current statement of the balance on hand."

4 SECTION 3. Section 12-2, Hawaii Revised Statutes, is  
5 amended to read as follows:

6 **"§12-2 Primary held when; candidates only those nominated.**

7 The primary shall be held at the polling place for each precinct  
8 on the second [~~to the last Saturday of September~~] Saturday in  
9 August in every even numbered year [~~, provided that in no case~~  
10 ~~shall any primary election precede a general election by less~~  
11 ~~than forty-five days]~~.

12 No person shall be a candidate for any general or special  
13 general election unless the person has been nominated in the  
14 immediately preceding primary or special primary."

15 SECTION 4. Statutory material to be repealed is bracketed  
16 and stricken. New statutory material is underscored.

17 SECTION 5. This Act shall take effect January 1, 2050.



**Report Title:**

Primary Election Date

**Description:**

Moves the date of the primary election from the second to the last Saturday in September to the second Saturday in August in every even numbered year. Revises the campaign spending law regarding the filing of preliminary reports between primary and general election. (HB1131 HD1)

