JAN 28 2009

A BILL FOR AN ACT

PROPOSING AN AMENDMENT TO THE HAWAII CONSTITUTION RELATED TO RESIDENCE REQUIREMENTS FOR MEMBERS OF THE LEGISLATURE.

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

- 1 SECTION 1. The purpose of this Act is to propose an
- 2 amendment to article III, section 6, of the Constitution of the
- 3 State of Hawaii to require candidates for the office of state
- 4 senate or house of representatives to be residents of the
- 5 district from which they seek to be elected for not less than
- 6 twelve consecutive months prior to the next succeeding general
- 7 election.
- 8 SECTION 2. Article III, section 6, of the Constitution of
- 9 the State of Hawaii is amended to read as follows:

10 "QUALIFICATIONS OF MEMBERS

- 11 Section 6. No person shall be eligible to serve as a
- 12 member of the senate unless the person has been a resident of
- 13 the State for not less than three years $[\tau]$ and a resident of the
- 14 senatorial district from which the person seeks to be elected
- 15 for not less than twelve consecutive months prior to the next
- 16 succeeding general election, has attained the age of majority
- 17 and is, prior to filing nomination papers and thereafter



S.B. NO. 1215

1 continues to be, a qualified voter of the senatorial district 2 from which the person seeks to be elected; except that in the 3 year of the first general election following reapportionment, but prior to the primary election, an incumbent senator may move 4 5 to a new district without being disqualified from completing the 6 remainder of the incumbent senator's term. No person shall be 7 eligible to serve as a member of the house of representatives 8 unless the person has been a resident of the State for not less 9 than three years $[\tau]$ and a resident of the representative 10 district from which the person seeks to be elected for not less 11 than twelve consecutive months prior to the next succeeding 12 general election, has attained the age of majority and is, prior 13 to filing nomination papers and thereafter continues to be, a 14 qualified voter of the representative district from which the 15 person seeks to be elected; except that in the year of the first 16 general election following reapportionment, but prior to the 17 primary election, an incumbent representative may move to a new 18 district without being disqualified from completing the 19 remainder of the incumbent representative's term." 20 SECTION 3. The question to be printed on the ballot shall 21 be as follows:

S.B. NO. 125

1	"Shall candidates for the state senate and house of
2	representatives be required to be a resident of the
3	legislative district from which the person seeks to be
4	elected for not less than twelve consecutive months prior to
5	the next succeeding general election?"
6	SECTION 4. Constitutional material to be repealed is
7	bracketed and stricken. New constitutional material is
8	underscored.
9	SECTION 5. This amendment shall take effect upon
10	compliance with article XVII, section 3, of the Constitution of
11	the State of Hawaii.
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INTRODUCED BY:

Clarence & Frishika

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SB LRB 09-0651.doc

Report Title:

Elections; Candidates; Residency Requirements

Description:

Amends the state constitution to require candidates for the state senate or house of representatives to be a resident of the legislative district from which the person is a candidate for not less than twelve consecutive months prior to the general election.