THE SENATE TWENTY-FIFTH LEGISLATURE, 2009 STATE OF HAWAII

S.B. NO. 299

JAN 23 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:
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	"QUALIFICATIONS OF MEMBERS
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10 11	"QUALIFICATIONS OF MEMBERS
10 11 12	"QUALIFICATIONS OF MEMBERS Section 6. No person shall be eligible to serve as a
10 11 12 13	"QUALIFICATIONS OF MEMBERS Section 6. No person shall be eligible to serve as a member of the senate unless the person has been a resident of
10 11 12 13 14	"QUALIFICATIONS OF MEMBERS Section 6. No person shall be eligible to serve as a member of the senate unless the person has been a resident of the State for not less than [three years,] five years and a
10 11 12 13 14 15 16	"QUALIFICATIONS OF MEMBERS Section 6. No person shall be eligible to serve as a member of the senate unless the person has been a resident of the State for not less than [three years,] five years and a resident of the senatorial district from which the person seeks



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

21 SECTION 3. The question to be printed on the ballot shall22 be as follows:



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1 "Shall candidates for the State senate and house of representatives be required to be a resident of the 2 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?" SECTION 4. Constitutional material to be repealed is 6 7 bracketed and stricken. New constitutional material is 8 underscored. SECTION 5. This amendment shall take effect upon 9 10 compliance with article XVII, section 3, of the Constitution of

11 the State of Hawaii.

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INTRODUCED BY: Kosly

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Report Title:

Qualifications of State Senators and Representatives; Residency

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.

