

JAN 22 2016

A BILL FOR AN ACT

RELATING TO ENABLING LEGISLATION BY THE PEOPLE.

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

1 SECTION 1. The Hawaii Revised Statutes is amended by
2 adding a new chapter to be appropriately designated and to read
3 as follows:

4 "CHAPTER

5 INITIATIVE

6 § -1 Initiative. (a) A statutory amendment may be
7 proposed by an initiative petition, containing the signatures of
8 registered voters equaling not less than ten per cent of the
9 total number of voters who voted for the office of the governor
10 in the last preceding general election for that office.

11 (b) The petition shall include the voter's signature, the
12 voter's printed name, residence address, last four digits of the
13 petitioner's social security number, and the date of signing.
14 Signatures may be on separate sheets, but each sheet shall have
15 appended to it the affidavit of a person, not necessarily a
16 signer of the petition, that, to the best of the affiant's
17 knowledge and belief, the persons whose signatures appear on the



1 sheet are duly registered voters of the State, that they signed
2 with full knowledge of the contents of the petition, and that
3 their residences are correctly given.

4 No entity or agent shall circulate or cause to be
5 circulated a petition for initiative in lieu of or on behalf of
6 any voter.

7 The petition shall set forth a measure for the proposed
8 statutory amendment that shall be attached and made a part of
9 the petition; provided that a copy of the proposed statutory
10 amendment shall first be submitted to the attorney general who
11 shall review and revise the draft as necessary; provided that
12 the attorney general shall not substantially alter the intent of
13 the language and shall approve the draft to ensure that the
14 draft is legally and technically sufficient.

15 Upon filing of the petition with the chief election
16 officer, the chief election officer shall examine it to see
17 whether it contains a sufficient number of apparently genuine
18 signatures of duly registered voters. The chief election
19 officer may question the genuineness of any signature or
20 signatures appearing on the petition, and if the chief election
21 officer finds that any such signature or signatures are not



1 genuine, the chief election officer, after public disclosure of
2 the signatures in question, shall disregard them in determining
3 whether the petition contains a sufficient number of signatures.

4 The chief election officer shall eliminate any sheet of the
5 petition that is not accompanied by the required affidavit. The
6 invalidity of any sheet shall not affect the validity of the
7 petition if a sufficient number of signatures remains after
8 eliminating such invalid sheet. The chief election officer
9 shall complete the examination of the petition within twenty
10 working days after the date of filing.

11 A final determination as to the sufficiency or validity of
12 the petition shall be subject to court review.

13 (c) The proposed initiative, after approval by the
14 attorney general, shall be filed with the office of elections at
15 least ninety days prior to the general election. The proposed
16 initiative shall be submitted to voters at the next general
17 election.

18 (d) Any proposed statutory amendment that is approved by
19 the majority of voters voting thereon shall be deemed enacted,
20 and shall become effective ten days after certification of the
21 results of the election. In the event that two or more proposed

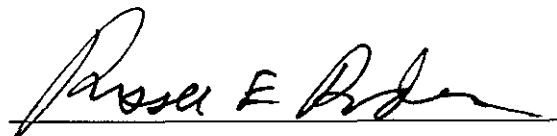
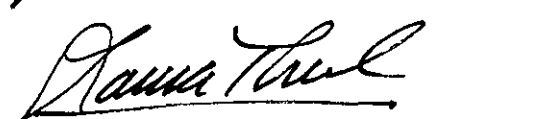


1 statutory amendments conflict with each other in whole or in
2 part and each is approved by a majority of the voters voting
3 thereon, the proposed amendment receiving the highest number of
4 votes shall be adopted and shall take effect as aforesaid.

5 (e) A statutory amendment that is deemed enacted by
6 initiative shall not be subject to veto, notwithstanding article
7 III, section 16, of the Hawaii State Constitution."

8 SECTION 2. This Act shall take effect upon its approval
9 and upon ratification of a constitutional amendment enabling
10 direct initiative.

11
INTRODUCED BY:



S.B. NO. 2521

Report Title:

Initiative; Enabling Legislation

Description:

Provides for initiative procedures. Takes effect upon ratification of a constitutional amendment enabling direct initiative.

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

