

### A BILL FOR AN ACT

PROPOSING AN AMENDMENT TO ARTICLE III, SECTION 15, OF THE HAWAII STATE CONSTITUTION TO ENACT A SUPERMAJORITY VOTING REQUIREMENT FOR PASSAGE OF LEGISLATION PROPOSING TO RAISE OR CREATE TAXES.

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

- 1 SECTION 1. The legislature finds that proposed legislation
- 2 that would create new taxes or raise existing taxes should be
- 3 considered and enacted in a different manner than other
- 4 legislation. The power of the State to tax its citizens has a
- 5 huge impact on the cost of living in Hawaii. The more the State
- 6 takes in taxes, the less local families have to spend on their
- 7 own priorities. Therefore, the legislative power to create or
- 8 raise taxes should only be exercised after the greatest care and
- 9 deliberation.
- 10 The legislature further finds that requiring a
- 11 supermajority to create or raise taxes would do two important
- 12 things for the State of Hawaii. First, it would require
- 13 consensus on new or additional taxes. Second, a supermajority
- 14 requirement would encourage lawmakers to work within existing
- 15 revenue streams rather than seek new ones.

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- 1 The purpose of this Act is to propose an amendment to
- 2 Article III, section 15, of the Constitution of the State of
- 3 Hawaii, to require a two-thirds supermajority for passage of
- 4 legislation proposing to raise taxes or create new taxes.
- 5 SECTION 2. Article III, section 15, of the Constitution of
- 6 the State of Hawaii is amended to read as follows:
- 7 "PASSAGE OF BILLS
- 8 Section 15. No bill shall become law unless it shall pass
- 9 three readings in each house on separate days. No bill shall
- 10 pass third or final reading in either house unless printed
- 11 copies of the bill in the form to be passed shall have been made
- 12 available to the members of that house for at least forty-eight
- 13 hours.
- 14 Every bill when passed by the house in which it originated,
- 15 or in which amendments thereto shall have originated, shall
- 16 immediately be certified by the presiding officer and clerk and
- 17 sent to the other house for consideration.
- 18 Any bill pending at the final adjournment of a regular
- 19 session in an odd-numbered year shall carry over with the same
- 20 status to the next regular session. Before the carried-over

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- 1 bill is enacted, it shall pass at least one reading in the house
- 2 in which the bill originated.
- 3 Passage of legislation proposing to increase the rates for
- 4 any tax collected by the State or to enact a new tax to be
- 5 collected by the State shall require a two-thirds vote of all
- 6 members to which each house is entitled."
- 7 SECTION 3. The question to be printed on the ballot shall
- 8 be as follows:
- 9 "Shall the Constitution be amended to include a two-thirds
- 10 supermajority voting requirement for the legislature to pass
- 11 laws that would raise taxes or create new taxes?"
- 12 SECTION 4. New constitutional material is underscored.
- 13 SECTION 5. This amendment shall take effect upon
- 14 compliance with Article XVII, section 3, of the Constitution of
- 15 the State of Hawaii.

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INTRODUCED BY:

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# H.B. NO. 1771

### Report Title:

Constitutional Amendment; Bill Passage; Taxation; Supermajority

#### Description:

Proposes a constitutional amendment to include a two-thirds supermajority voting requirement for the legislature to pass laws that raise taxes or create new taxes.

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