

JAN 19 2018

A BILL FOR AN ACT

RELATING TO PRIMARY ELECTIONS.

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

1 SECTION 1. Chapter 12, Hawaii Revised Statutes, is amended
2 by adding a new part to be appropriately designated and to read
3 as follows:

4 **"PART . PRESIDENTIAL PREFERENCE PRIMARY ELECTIONS**

5 **§12-A "Political party" defined.** For the purposes of this
6 part, "political party" means the same as defined in section 11-
7 61.

8 **§12-B Presidential preference primary established.** (a)
9 Candidates for President shall be nominated in a primary
10 election by direct vote of the people in the manner prescribed
11 by this part.

12 (b) The chief election officer shall issue a primary
13 election ballot pursuant to section 11-111 for each political
14 party.

15 **§12-C Presidential preference primary held when.** The
16 presidential preference primary shall be held on the second



1 Saturday in May in every even numbered year in which a general
2 presidential election is held.

3 **§12-D Same day voter registration.** A person who is
4 eligible to vote but is not registered to vote may register by
5 appearing in person on the day of the presidential preference
6 primary election, at the polling place in the precinct
7 associated with the person's reference pursuant to section 11-
8 15.2.

9 **§12-E General procedures for conduct of presidential**
10 **preference primary elections.** Unless specifically provided
11 otherwise, all provisions regarding the conduct of the general
12 election shall govern the conduct of the presidential primary
13 election.

14 **§12-F Participation in presidential preference primary**
15 **election selection of a political party's candidates.** (a) A
16 political party may adopt bylaws to limit who may participate in
17 the presidential preference primary election selection of that
18 political party's candidates based on voter registration of
19 party affiliation.

20 (b) No later than 5:00 p.m. on September 1 of the calendar
21 year before the calendar year in which a presidential preference



1 primary election is to be held, a political party shall submit a
2 notice in writing to the chief election officer stating whether
3 the party bylaws expand or limit who may participate in the
4 presidential preference primary election for selection of that
5 party's presidential candidates. A copy of the party's relevant
6 bylaws shall be submitted with the notice.

7 (c) If a political party does not file timely notice
8 pursuant to subsection (b), participation in presidential
9 preference primary election selection of that party's candidates
10 shall not be limited based on voter registration of party
11 affiliation."

12 SECTION 2. Section 11-112, Hawaii Revised Statutes, is
13 amended to read as follows:

14 **"§11-112 Contents of ballot.** (a) The ballot shall
15 contain the names of the candidates, their party affiliation or
16 nonpartisanship in partisan election contests, the offices for
17 which they are running, and the district in which the election
18 is being held. In multimember races the ballot shall state that
19 the voter shall not vote for more than the number of seats
20 available or the number of candidates listed where such number
21 is less than the seats available.



1 (b) The ballot may include questions concerning proposed
2 state constitutional amendments, proposed county charter
3 amendments, or proposed initiative or referendum issues.

4 (c) At the chief election officer's discretion, the ballot
5 may have a background design imprinted onto it.

6 (d) When the electronic voting system is used, the ballot
7 may have pre-punched codes and printed information which
8 identify the voting districts, precincts, and ballot sets to
9 facilitate the electronic data processing of these ballots.

10 (e) The name of the candidate may be printed with the
11 Hawaiian or English equivalent or nickname, if the candidate so
12 requests in writing at the time the candidate's nomination
13 papers are filed. Candidates' names, including the Hawaiian or
14 English equivalent or nickname, shall be set on one line.

15 (f) The ballot shall bear no word, motto, device, sign, or
16 symbol other than allowed in this title.

17 (g) The ballot issued for a presidential preference
18 primary election pursuant to section 12-B(b) shall contain an
19 option for the voter to declare the voter's party registration.
20 This declaration shall take effect immediately and supersede any
21 previous party registration."



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

"§12-2 Primary held when; candidates only those nominated.
[The] Except as provided in section 12-C, the primary shall be held on the second Saturday of August in every even numbered year.

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

SECTION 4. Section 12-5, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

"(a) Nomination papers for candidates for President, members of Congress, governor, and lieutenant governor shall be signed by not less than twenty-five registered voters of the State or of the Congressional district from which the candidates are running in the case of candidates for the United States House of Representatives."

SECTION 5. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.



1 SECTION 6. This Act shall take effect upon its approval.

2

INTRODUCED BY:

V. S. D. J. K.
by request



S.B. NO. 2584

Report Title:

Presidential Preference Primary Elections; Political Parties

Description:

Establishes presidential preference primary elections conducted by the State. Allows political parties to limit participation in the presidential preference primary election selection of the party's candidates by voter party registration. Allows voters to change party registration on a presidential preference primary election ballot.

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

