STAND. COM. REP. NO. 1255-20

Honolulu, Hawaii , 2020 JUL 01 RE: S.B. No. 2139 H.D. 1

Honorable Scott K. Saiki Speaker, House of Representatives Thirtieth State Legislature Regular Session of 2020 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 2139 entitled:

"A BILL FOR AN ACT RELATING TO VACANCIES,"

begs leave to report as follows:

The purpose of this measure is to amend the filing deadlines for candidates attempting to fill vacant state Senate seats.

Your Committee received testimony in support of this measure from the Office of Elections.

Your Committee finds that under existing law if a vacancy occurs after the close of candidate filing, a candidate who has already filed for a seat will find themselves in a situation where they cannot withdraw and file for the special vacancy election because the ability for a candidate to withdraw for any reason is limited to the day immediately following the close of filing. This measure amends filing deadlines to coincide with the close of candidate filing. This measure also enables a single special election to be held in conjunction with the general election in certain circumstances and conforms deadlines to the federal requirements of the Uniformed and Overseas Citizens Absentee Voting Act.

Your Committee has amended this measure by:

SB2139 HD1 HSCR JUD HMS 2020-2181-1

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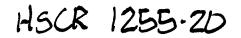
- Allowing any candidate to withdraw after the close of filing but no later than the seventy-fifth day before the next general election to fill a state legislative vacancy;
- (2) Making it effective retroactively to comply with federal law; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2139, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2139, H.D. 1, and be placed on the calendar for Third Reading.

> Respectfully submitted on behalf of the members of the Committee on Judiciary,

CHRIS LEE, Chair

State of Hawaii House of Representatives The THIRTIETH Legislature



Record of Votes of the Committee on Judiciary

Bill/Resolution No.:	Committee Referral:		Date: 6/30/2020	
SB 2139	JUD		6/30/	1010
The committee is reconsidering its previous decision on the measure.				
The recommendation is to: D Pass, unamended (as is) D Pass, with amendments (HD) D Hold				
Pass short form bill with HD to recommit for future public hearing (recommit)				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. LEE, Chris (C)				
2. SAN BUENAVENTURA, Joy A.	. (VC)		the state of the s	
3. BROWER, Tom				
4. CREAGAN, Richard P.				
5. LOWEN, Nicole E.				
5. LOWEN, NICOle E.				
6. McKELVEY, Angus L.K.		<u></u>		
7. NAKASHIMA, Mark M.		an a	and the second difference of the second s	<u> Salan SA, di serien del sela p</u> roven serien
8. PERRUSO, Amy A.			a shi i shi i shi i sa shi a sa shi she sa shi sa shi	in an
9. SAY, Calvin K.Y.				
10. TAKAYAMA, Gregg			and the second	
11. YAMANE, Ryan I.				
			rentration of the state along the state of the	
12. THIELEN, Cynthia				
		+		
		++-		
TOTAL (12)	- 9			B
The recommendation is: Adopted Not Adopted				
If joint referral, did not support recommendation.				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				