

JAN 21 2022

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# A BILL FOR AN ACT

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PROPOSING AN AMENDMENT TO ARTICLE I OF THE HAWAII STATE  
CONSTITUTION TO PROHIBIT ANY ENCUMBRANCE ON THE RIGHT TO  
OWN, POSSESS, AND USE ANY MEDIUM OF EXCHANGE.

**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 I of the Constitution of the State of  
3 Hawaii by adding a new section to prohibit any encumbrance on  
4 the right to own, possess, and use any medium of exchange.

5 Specifically, this Act:

6       (1) Identifies the right of individuals to own, possess,  
7 and use any medium of exchange; and

8       (2) Prohibits any encumbrance on an individual's right to  
9 own, possess, and use any medium of exchange; provided  
10 that this prohibition does not restrict the State from  
11 determining the mediums of exchange required for its  
12 operations.

13       SECTION 2. Article I of the Constitution of the State of  
14 Hawaii is amended by adding a new section to read as follows:

15       "Section . No law shall be enacted prohibiting or  
16 abridging the freedom to own, possess, and use a mutually agreed



1 upon medium of exchange, including cash, coin, bullion, digital  
2 currency, or scrip, when trading and contracting for goods and  
3 services. The right to own, possess, and use a mutually agreed  
4 upon medium of exchange when trading and contracting for goods  
5 and services shall not be construed to restrict the State of  
6 Hawaii from determining the mediums of exchange required for its  
7 operations."

8       SECTION 3. The question to be printed on the ballot shall  
9 be as follows:

10       "Shall the legislature be prohibited from enacting any  
11       encumbrances on the right to own, possess, and use a  
12       mutually agreed upon medium of exchange when trading and  
13       contracting for goods and services; provided that the  
14       government of the State of Hawaii may continue to determine  
15       the mediums of exchange that it requires for its  
16       operations?"

17       SECTION 4. New constitutional material is underscored.  
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1           SECTION 5. This amendment shall take effect upon  
2 compliance with article XVII, section 3, of the Constitution of  
3 the State of Hawaii.

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INTRODUCED BY:

*Bernette J. Minohar*



# S.B. NO. 2698

**Report Title:**

Mediums of Exchange; Constitutional Amendment

**Description:**

Prohibits any encumbrance on the right to own, possess, and use any medium of exchange.

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