

STAND. COM. REP. NO.

1619

Honolulu, Hawaii

MAR 29 , 2023

RE: S.B. No. 141
S.D. 1
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred S.B. No. 141, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO ELECTIONS,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Require presidential electors to take a pledge that they will vote for their party's nominee;
- (2) Provide for a process of invalidating the vote and removing any faithless elector and procedures for their replacement; and
- (3) Update rules for certification of electors and their votes to be in full compliance with federal law.

Your Committee received testimony in support of this measure from the Commission to Promote Uniform Legislation, Stonewall Caucus of the Democratic Party of Hawaii, League of Women Voters of Hawaii, and five individuals. Your Committee received testimony in opposition to this measure from one individual.

2023-2726 SB141 HD1 HSCR HMSO



Your Committee finds that the United States Supreme Court has upheld legislation that provided states with the authority to bind their electors to the candidates they have pledged to support. This measure is intended to address the rare but historically recent problem of presidential electors who do not adhere to their obligation to vote faithfully for their parties' candidates.

Your Committee has amended this measure by:

- (1) Changing the effective date to June 30, 3000, to encourage further discussion; and
- (2) 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 & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 141, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 141, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary &
Hawaiian Affairs,



DAVID A. TARNAS, Chair



