

---

---

# A BILL FOR AN ACT

RELATING TO THE ELECTION OF THE PRESIDENT.

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

1           SECTION 1. Section 12-2, Hawaii Revised Statutes, is  
2 amended to read as follows:

3           "§12-2 Primary held when; candidates only those nominated.

4 The primary shall be held on the second Saturday of August in  
5 every even numbered year[-]; provided that the presidential  
6 primary shall be held on the first Tuesday after the first  
7 Monday in March in any year that is evenly divisible by the  
8 number four and at which delegations to national party  
9 conventions are to be chosen.

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

13           SECTION 2. Section 12-5, Hawaii Revised Statutes, is  
14 amended to read as follows:

15           "§12-5 Nomination papers: number of signers. (a)

16 Nomination papers for candidates for president shall be signed  
17 by not less than one hundred voters of the State.



1           ~~[(a)]~~ (b) Nomination papers for candidates for members of  
2 Congress, governor, and lieutenant governor shall be signed by  
3 not less than twenty-five registered voters of the State or of  
4 the Congressional district from which the candidates are running  
5 in the case of candidates for the United States House of  
6 Representatives.

7           ~~[(b)]~~ (c) Nomination papers for candidates for either  
8 branch of the legislature and for county office shall be signed  
9 by not less than fifteen registered voters of the district or  
10 county or subdivision thereof for which the person nominated is  
11 a candidate.

12           ~~[(c)]~~ (d) Nomination papers for candidates for members of  
13 the board of trustees of the office of Hawaiian affairs shall be  
14 signed by not less than twenty-five persons registered to vote.

15           ~~[(d)]~~ (e) No signatures shall be required on nomination  
16 papers for candidates filing to run in a special primary or  
17 special election to fill a vacancy."

18           SECTION 3. Section 12-6, Hawaii Revised Statutes, is  
19 amended to read as follows:

20           "§12-6 Nomination papers: time for filing; fees. (a)  
21 For members of Congress, state offices, county offices, and the



1 board of trustees for the office of Hawaiian affairs, nomination  
2 papers shall be filed with the chief election officer, or clerk  
3 in case of county offices, [~~not~~] no later than 4:30 p.m. on the  
4 first Tuesday in June[-]; provided that nomination papers for  
5 presidential candidates shall be filed with the chief election  
6 officer no later than 4:30 p.m. on the second Tuesday in  
7 January. However, in the event of a special primary or special  
8 election, the filing deadline shall be determined in the  
9 proclamation that is issued calling for the election as provided  
10 for by state law or county charter. A state candidate from the  
11 counties of Hawaii, Maui, and Kauai may file the declaration of  
12 candidacy with the respective clerk. The clerk shall transmit  
13 to the office of the chief election officer the state  
14 candidate's declaration of candidacy without delay.

15 (b) If after the close of filing there are no candidates  
16 who have filed nomination papers for an elective office for the  
17 primary, special primary, or any special election held in  
18 conjunction with the primary election, the chief election  
19 officer or clerk, in the case of a county election, shall accept  
20 nomination papers for that office until 4:30 p.m. on the tenth  
21 day after the original close of filing.



1           ~~[+]~~ (c) ~~[+]~~ There shall be deposited with each nomination  
2 paper a filing fee on account of the expenses attending the  
3 holding of the primary, special primary, or special election,  
4 which shall be paid into the treasury of the State, or county,  
5 as the case may be, as a realization:

- 6           (1) For President--\$3,000;
- 7           ~~[+1]~~ (2) For United States senators and United States  
8           representatives--\$75;
- 9           ~~[+2]~~ (3) For governor and lieutenant governor--\$750;
- 10          ~~[+3]~~ (4) For mayor--\$500; and
- 11          ~~[+4]~~ (5) For all other offices--\$250.

12           ~~[+]~~ (d) ~~[+]~~ Upon the receipt by the chief election officer or  
13 the clerk of the nomination paper of a candidate, the day, hour,  
14 and minute when it was received shall be endorsed thereon.

15           (e) Upon the showing of a certified copy of an affidavit  
16 ~~[which]~~ that has been filed with the campaign spending  
17 commission pursuant to section 11-423 by a candidate who has  
18 voluntarily agreed to abide by spending limits, the chief  
19 election officer or clerk shall discount the filing fee of the  
20 candidate by the following amounts:

- 21           (1) For the office of president--\$2,675;

# H.B. NO. 1485

1       ~~[(1)]~~ (2) For the office of governor and lieutenant  
2                   governor--\$675;

3       ~~[(2)]~~ (3) For the office of mayor--\$450; and

4       ~~[(3)]~~ (4) For all other offices--\$225.

5       ~~[(f)]~~ (f) ~~[(f)]~~ The chief election officer or clerk shall waive  
6 the filing fee in the case of a person who declares, by  
7 affidavit, that the person is indigent and who has filed a  
8 petition signed by currently registered voters who constitute at  
9 least one-half of one per cent of the total voters registered at  
10 the last preceding general election in the respective district  
11 or districts which correspond to the specific office for which  
12 the indigent person is a candidate. This petition shall be  
13 submitted on the form prescribed and provided by the chief  
14 election officer together with the nomination paper required by  
15 this chapter."

16       SECTION 4. Statutory material to be repealed is bracketed  
17 and stricken. New statutory material is underscored.

18       SECTION 5. This Act shall take effect upon its approval.

19

INTRODUCED BY:                     *Sam B/R*                    

JAN 25 2023



# H.B. NO. 1485

**Report Title:**

Primary Election; The President

**Description:**

Establishes a date for presidential primaries, as well as signature and fee requirements for a person to be nominated as a presidential primary candidate.

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

