

JAN 24 2024

A BILL FOR AN ACT

RELATING TO LEGISLATIVE VACANCIES.

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

1 SECTION 1. Section 17-3, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:

3 "(a) Whenever any vacancy in the membership of the state
4 senate occurs, the term of which ends at the next succeeding
5 general election:

6 (1) The governor shall make an appointment within sixty
7 calendar days following the first day of vacancy to
8 fill the vacancy for the unexpired term by selecting a
9 person from a list of three prospective appointees
10 submitted by the same political party as the prior
11 incumbent[-]; provided that if the political party
12 uses the rank choice voting method and selects an
13 appointee by unanimous vote, the appointee shall be
14 appointed without selection by the governor. The
15 appointee shall be at the time of appointment, and for
16 at least six months immediately prior to the
17 appointment, a member of the political party. The



1 appointee shall, at the time of appointment, be a
2 resident of the same senate district as the prior
3 incumbent. The political party shall submit the list
4 of prospective appointees to the governor within
5 thirty calendar days following the first day of
6 vacancy; and

7 (2) If the prior incumbent was not a member of any
8 political party, the governor shall, within sixty
9 calendar days following the first day of vacancy,
10 appoint a person who is at the time of appointment a
11 resident of the same senate district as the prior
12 incumbent and who is not, and has not been for at
13 least six months prior to the appointment, a member of
14 any political party."

15 SECTION 2. Section 17-4, Hawaii Revised Statutes, is
16 amended by amending subsection (a) to read as follows:

17 "(a) Whenever any vacancy in the membership of the state
18 house of representatives occurs, the governor shall make an
19 appointment within sixty calendar days following the first day
20 of vacancy to fill the vacancy for the unexpired term by
21 selecting a person from a list of three prospective appointees



S.B. NO. 3223

1 submitted by the same political party as the prior incumbent[-];
2 provided that if the political party uses the rank choice voting
3 method and selects an appointee by unanimous vote, the appointee
4 shall be appointed without selection by the governor. The
5 appointee shall be, at the time of appointment, and shall have
6 been, for at least six months immediately prior to the
7 appointment, a member of the political party. The appointee
8 shall, at the time of appointment, be a resident of the same
9 state representative district as the prior incumbent. The
10 political party shall submit the list of prospective appointees
11 to the governor within thirty calendar days following the first
12 day of vacancy."

13 SECTION 3. Statutory material to be repealed is bracketed
14 and stricken. New statutory material is underscored.

15 SECTION 4. This Act shall take effect upon its approval.

16

INTRODUCED BY:





S.B. NO. 3223

Report Title:

Legislative Vacancies; Appointment; Governor; Rank Choice Voting Method

Description:

Allows vacancies in the Senate and House of Representatives to be filled by an appointee without selection by the Governor from a list of three prospective appointees if the appointee was selected by the political party by unanimous vote using the rank choice voting method.

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

