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# A BILL FOR AN ACT

PROPOSING AN AMENDMENT TO ARTICLE III, SECTION 4, OF THE HAWAII  
STATE CONSTITUTION TO ESTABLISH LEGISLATIVE TERM LIMITS.

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

1           SECTION 1. The legislature finds that at least fifteen  
2 states have legislative term limits, which range from six to  
3 twelve years. Although the backing for enacting legislative  
4 term limits does have merit in certain circumstances, to promote  
5 fairness and equity between separate and co-equal branches of  
6 government, any term limits for legislators should be longer  
7 than the term limit of the governor of the applicable state.

8           Because the governor is subject to a term limit of two  
9 consecutive full terms, or eight years, enacting similar  
10 legislative term limits for legislators in Hawaii would weaken  
11 state legislators and strengthen the governor due to the  
12 governor and the administration's broad constitutional,  
13 statutory, and rule-making powers. For example, the governor  
14 already has widespread authority and discretion through the  
15 executive branch; the governor has considerable budget powers,  
16 including restricting funds; and there is no elected state



1 treasurer, attorney general, or secretary of state, as is the  
2 case in most states. To maintain a modicum of balance of powers  
3 in Hawaii between the legislative and executive branch of  
4 government, legislative term limits should be longer than the  
5 governor's term limit.

6 The legislature further finds that of the fifteen states  
7 that have legislative term limits, Arizona, Colorado, Florida,  
8 Maine, Missouri, Montana, Ohio, and South Dakota have sixteen-  
9 year limits -- a maximum of eight years in their respective  
10 house of representatives and eight years in their respective  
11 senates.

12 The purpose of this Act is to propose an amendment to  
13 article III, section 4, of the Hawaii State Constitution to  
14 limit the number of years persons may serve in the legislature  
15 to a maximum of sixteen years in the house of representatives or  
16 senate, or both.

17 SECTION 2. Article III, section 4, of the Hawaii State  
18 Constitution is amended to read as follows:

19 **"ELECTION OF MEMBERS; TERM**

20 **Section 4.** Each member of the legislature shall be elected  
21 at an election. If more than one candidate has been nominated



1 for election to a seat in the legislature, the member occupying  
2 that seat shall be elected at a general election. If a  
3 candidate nominated for a seat at a primary election is  
4 unopposed for that seat at the general election, the candidate  
5 shall be deemed elected at the primary election. The term of  
6 office of a member of the house of representatives shall be two  
7 years and the term of office of a member of the senate shall be  
8 four years. Members of the legislature shall be limited to  
9 serving a total of sixteen years, regardless of whether the  
10 years were served entirely in the house of representatives or in  
11 the senate, or partially in both. The term of a member of the  
12 legislature shall begin on the day of the general election at  
13 which elected or if elected at a primary election, on the day of  
14 the general election immediately following the primary election  
15 at which elected. For a member of the house of representatives,  
16 the term shall end on the day of the general election  
17 immediately following the day the member's term commences. For  
18 a member of the senate, the term shall end on the day of the  
19 second general election immediately following the day the  
20 member's term commences."



# S.B. NO. 1594

1 SECTION 3. The question to be printed on the ballot shall  
2 be as follows:

3 "Should the Hawaii State Constitution be amended to limit  
4 the number of years a member may serve in the Hawaii State  
5 Legislature to a maximum of sixteen years, regardless of  
6 whether the member exclusively served in the House of  
7 Representatives or in the Senate or the member served in  
8 both chambers?"

9 SECTION 4. Constitutional material to be repealed is  
10 bracketed and stricken. New constitutional material is  
11 underscored.

12 SECTION 5. This amendment shall take effect upon  
13 compliance with article XVII, section 3, of the Hawaii State  
14 Constitution.

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INTRODUCED BY: 

# S.B. NO. 1594

**Report Title:**

Legislative Term Limits; Constitutional Amendment

**Description:**

Proposes a constitutional amendment to limit the number of years members may serve in the Legislature to a maximum of sixteen years.

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

