

JAN 23 2025

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## A BILL FOR AN ACT

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PROPOSING TO AMEND THE CONSTITUTION OF THE STATE OF HAWAII TO  
MAKE INCUMBENT LEGISLATORS TEMPORARILY INELIGIBLE FOR  
SERVICE BASED ON THE SIZE OF THE NATIVE HAWAIIAN  
POPULATION.

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

1       SECTION 1. The legislature finds that legislators should  
2 be actively engaged in addressing the concerns of Native  
3 Hawaiians, one of which is the cost of living, which greatly  
4 affects the ability of Native Hawaiians to remain in the State.  
5 The legislature believes that if significant numbers of Native  
6 Hawaiians leave the State, then legislators have not done their  
7 jobs, and their constituents should be allowed to reevaluate  
8 their elected officials' fulfillment of their duties.

9       The purpose of this Act is to propose to amend the  
10 Constitution of the State of Hawaii to provide that if a United  
11 States census shows that the state Native Hawaiian population  
12 decreased by no less than five per cent since the prior United  
13 States census, all state legislators in office at the time of  
14 the release of the latter census shall be ineligible to serve in  
15 any state legislative office for one term, which shall be the



1 first term of the applicable legislative office that begins  
2 after the release of the latter census.

3 SECTION 2. Article III of the Constitution of the State of  
4 Hawaii is amended by adding a new section to be appropriately  
5 designated and to read as follows:

6 **"TEMPORARY INELIGIBILITY BASED ON DECREASE IN THE**  
7 **NATIVE HAWAIIAN POPULATION**

8 **Section** . Notwithstanding any other provision of this  
9 constitution or any other law to the contrary, if a United  
10 States census shows that the state Native Hawaiian population  
11 decreased by no less than five percent since the prior United  
12 States census, all state legislators in office at the time of  
13 the release of the latter census shall be ineligible to serve in  
14 any state legislative office for one term, which shall be the  
15 first term of the applicable legislative office that begins  
16 after the release of the latter census."

17 SECTION 3. The question to be printed on the ballot shall  
18 be as follows:

19 "Shall the Constitution of the State of Hawaii be  
20 amended to provide that if a United States census shows  
21 that the state Native Hawaiian population decreased by no



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1 less than five percent since the prior United States  
2 census, all state legislators in office at the time of the  
3 release of the latter census shall be ineligible to serve  
4 in any state legislative office for one term, which shall  
5 be the first term of the applicable legislative office that  
6 begins after the release of the latter census?"

7 SECTION 4. New constitutional material is underscored.

8 SECTION 5. This amendment shall take effect upon  
9 compliance with article XVII, section 3, of the Constitution of  
10 the State of Hawaii.

11  
INTRODUCED BY:





# S.B. NO. 1238

**Report Title:**

Constitutional Amendment; Legislators; Ineligibility; Native Hawaiians

**Description:**

Proposes to amend the Constitution of the State of Hawaii to provide that if a United States census shows that the state Native Hawaiian population decreased by no less than 5% since the prior United States census, all state legislators in office at the time of the release of the latter census shall be ineligible to serve in any state legislative office for 1 term, which shall be the 1st term of the applicable legislative office that begins after the release of the latter census.

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

