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# A BILL FOR AN ACT

RELATING TO VACANCIES.

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

1        SECTION 1. Section 11-118, Hawaii Revised Statutes, is  
2 amended by amending subsection (b) to read as follows:  
3        "(b) If the party fills the vacancy, and so notifies the  
4 chief election officer or clerk not later than 4:30 p.m. on the  
5 third day after the vacancy occurs, ~~[but not later than 4:30~~  
6 ~~p.m. on the fiftieth day prior to a primary or special primary~~  
7 ~~election or not later than 4:30 p.m. on the fortieth day prior~~  
8 ~~to a special, general, or special general election,]~~ the name of  
9 the replacement shall be printed in an available and appropriate  
10 place on the ballot~~[–]~~ to the extent reasonably possible, not  
11 necessarily in alphabetical order; provided that the replacement  
12 candidate fills out an application for nomination papers, signs  
13 the proper certifications on the nomination paper, and takes  
14 either an oath or affirmation as provided by law. If the party  
15 fails to fill the vacancy pursuant to this subsection, no  
16 candidate's name shall be printed on the ballot for the party  
17 for that race."



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

3 "(b) In the case of a vacancy, the term of which does not  
4 end at the next succeeding general election:

5 (1) If it occurs not later than on the tenth day prior to  
6 the close of filing for the next succeeding primary  
7 election, the vacancy shall be filled for the  
8 unexpired term at the next succeeding general  
9 election. The chief election officer shall issue a  
10 proclamation designating the election for filling the  
11 vacancy. All candidates for the unexpired term shall  
12 be nominated and elected in accordance with this  
13 title. Pending the election, the governor shall make  
14 a temporary appointment to fill the vacancy, and the  
15 person so appointed shall serve until the election of  
16 the person duly elected to fill the vacancy. The  
17 governor shall make the appointment from a list of  
18 three prospective appointees submitted by the same  
19 political party as the prior incumbent. The appointee  
20 shall be, at the time of the appointment, and shall  
21 have been, for at least six months immediately prior



1 to the appointment, a member of the political party.  
2 The appointee shall, at the time of appointment, be a  
3 resident of the same senate district as the prior  
4 incumbent. If the prior incumbent was not a member of  
5 any political party, the governor shall appoint a  
6 person who is at the time of appointment a resident of  
7 the same senate district as the prior incumbent and is  
8 not and has not been, for at least six months  
9 immediately prior to the appointment, a member of any  
10 political party;

11 (2) If it occurs later than on the tenth day prior to the  
12 close of filing for the next succeeding primary  
13 election but not later than on the [sixtieth] day of  
14 the close of filing prior to the next succeeding  
15 primary election, or if there are no qualified  
16 candidates for any party or nonpartisan candidates  
17 qualified for the primary election ballot, nominations  
18 for the unexpired term may be filed not later than  
19 4:30 p.m. on the [fiftieth] fifty-seventh day prior to  
20 the next succeeding primary election. The chief  
21 election officer shall issue a proclamation



1 designating the election for filling the vacancy. All  
2 candidates for the unexpired term shall be nominated  
3 and elected in accordance with this title. Pending  
4 the election the governor shall make a temporary  
5 appointment to fill the vacancy and the person  
6 appointed shall serve until the election of the person  
7 duly elected to fill the vacancy. The governor shall  
8 make the appointment from a list of three prospective  
9 appointees submitted by the same political party as  
10 the prior incumbent. The appointee shall be, at the  
11 time of the appointment, and shall have been, for at  
12 least six months immediately prior to the appointment,  
13 a member of the political party. The appointee shall,  
14 at the time of appointment, be a resident of the same  
15 senate district as the prior incumbent. If the prior  
16 incumbent was not a member of any political party, the  
17 governor shall appoint a person who is at the time of  
18 appointment a resident of the same senate district as  
19 the prior incumbent and is not and has not been, for  
20 at least six months immediately prior to the  
21 appointment, a member of any political party;



1 (3) If it occurs after the [sixtieth day] close of filing  
2 prior to the next succeeding primary but not later  
3 than on the [fiftieth] seventieth day prior to the  
4 next succeeding general election, or if there are no  
5 qualified candidates for any party or nonpartisan  
6 candidates in the primary, the vacancy shall be filled  
7 for the unexpired term at the next succeeding general  
8 election. The chief election officer shall issue a  
9 proclamation designating the election for filling the  
10 vacancy. Party candidates for the unexpired senate  
11 term shall be nominated by the county committees of  
12 the parties not later than 4:30 p.m. on the [fortieth]  
13 sixtieth day prior to the general election;  
14 nonpartisan candidates may file nomination papers for  
15 the unexpired term not later than 4:30 p.m. on the  
16 [fortieth] sixtieth day prior to the general election  
17 with the nonpartisan candidate who is to be nominated  
18 to be decided by lot, under the supervision of the  
19 chief election officer. The candidates for the  
20 unexpired term shall be elected in accordance with  
21 this title. Pending the election, the governor shall



1 make a temporary appointment to fill the vacancy, and  
2 the person appointed shall serve until the election of  
3 the person duly elected to fill the vacancy. The  
4 governor shall make the appointment from a list of  
5 three prospective appointees submitted by the same  
6 political party as the prior incumbent. The appointee  
7 shall be, at the time of the appointment, and shall  
8 have been, for at least six months immediately prior  
9 to the appointment, a member of the political party.  
10 The appointee shall, at the time of appointment, be a  
11 resident of the same senate district as the prior  
12 incumbent. If the prior incumbent was not a member of  
13 any political party, the governor shall appoint a  
14 person who is at the time of appointment a resident of  
15 the same senate district as the prior incumbent and is  
16 not and has not been, for at least six months  
17 immediately prior to the appointment, a member of any  
18 political party;

19 (4) If it occurs after the ~~fiftieth~~ seventieth day prior  
20 to the next succeeding general election or if no  
21 candidates are nominated, the governor shall make an



1 appointment to fill the vacancy for the unexpired term  
2 by selecting a person from a list of three prospective  
3 appointees submitted by the same political party as  
4 the prior incumbent. The appointee shall be, at the  
5 time of the appointment, and shall have been, for at  
6 least six months immediately prior to the appointment,  
7 a member of the political party. The appointee shall,  
8 at the time of appointment, be a resident of the same  
9 senate district as the prior incumbent. If the prior  
10 incumbent was not a member of any political party, the  
11 governor shall appoint a person who is at the time of  
12 appointment a resident of the same senate district as  
13 the prior incumbent and is not and has not been, for  
14 at least six months immediately prior to the  
15 appointment, a member of any political party."

16 SECTION 3. Statutory material to be repealed is bracketed  
17 and stricken. New statutory material is underscored.



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

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INTRODUCED BY:

Nedra K. Nakamura

BY REQUEST

JAN 23 2026



# H.B. NO. 2099

**Report Title:**

Office of Elections Package; Vacancies; Candidates; State  
Senators

**Description:**

Amends the processes for addressing party candidate and state  
senator vacancies.

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

