
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[~~7~~] 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.

2

INTRODUCED BY:

Nedra K. Nathan

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.*

