
A BILL FOR AN ACT

RELATING TO ELECTION REFORM.

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

SECTION 1. Section 11-1.6, Hawaii Revised Statutes, is amended to read as follows:

"§11-1.6 ~~[Appointment]~~ Election of the chief election officer; requirements; term; restrictions; salary;

~~[reappointment; removal] vacancy. (a) [The chief election officer shall be appointed by the elections commission, without regard to chapter 76. The appointment shall not be subject to the advice and consent of the senate. In the event of a vacancy, the elections commission shall meet expeditiously to select and appoint a new chief election officer to serve the remainder of the unexpired term.] Beginning in the 2030 general election, the chief election officer shall be elected from among nonpartisan candidates by the qualified voters of this State at a general election. The person receiving the highest number of votes shall be the chief election officer.~~



1 (b) The person [~~appointed~~] elected to be chief election
2 officer shall be a citizen of the United States, a resident of
3 the State, and a registered voter of the State.

4 (c) The chief election officer shall serve for a term of
5 four years. The term shall begin on February 1 following the
6 [~~appointment~~] election.

7 (d) The chief election officer shall devote full time to
8 the duties of the office and shall hold no other public office
9 during the individual's term of office. Except for exercising
10 the right to vote, the individual shall not support, advocate,
11 or aid in the election or defeat of any candidate for public
12 office. The chief election officer shall refrain from financial
13 and business dealings that tend to reflect adversely on the
14 individual's impartiality, interfere with the proper performance
15 of election duties, or exploit the individual's position.

16 Subject to the requirements above, the individual may hold and
17 manage investments, including real estate, and engage in other
18 remunerative activity, but shall not serve as an officer,
19 director, manager, advisor, or employee of any business.



1 (e) The chief election officer shall be paid a salary not
2 to exceed eighty-seven per cent of the salary of the director of
3 human resources development.

4 (f) ~~[The chief election officer may petition the elections~~
5 ~~commission for reappointment. The elections commission may~~
6 ~~reappoint an incumbent chief election officer based on the~~
7 ~~performance of the chief election officer. The elections~~
8 ~~commission may authorize the chief election officer to hold~~
9 ~~office until a successor is appointed.]~~ In the event of a
10 vacancy, the governor shall make an appointment within sixty
11 calendar days following the first day of vacancy to fill the
12 vacancy for the unexpired term by selecting a person from a list
13 of three prospective appointees submitted by the election
14 commission. The election commission shall submit the list of
15 prospective appointees to the governor within thirty calendar
16 days following the first day of vacancy. All appointments made
17 by the governor under this section shall be made without
18 consideration of the appointee's party preference or
19 nonpartisanship.



1 ~~[(g) The chief election officer is an at-will employee.~~
2 ~~The elections commission shall provide written notification of~~
3 ~~any removal and state the reason for the removal.] "~~

4 SECTION 2. Section 11-2, Hawaii Revised Statutes, is
5 amended to read as follows:

6 "**§11-2 Chief election officer; duties.** (a) The chief
7 election officer shall supervise all state elections, provided
8 that the lieutenant governor shall preside over the election for
9 chief election officer. The chief election officer may delegate
10 responsibilities in state elections within a county to the clerk
11 of that county or to other specified persons.

12 (b) The chief election officer shall be responsible for
13 the maximization of registration of eligible electors throughout
14 the State. In maximizing registration, the chief election
15 officer shall make an effort to equalize registration between
16 districts, with particular effort in those districts in which
17 the chief election officer determines registration is lower than
18 desirable. The chief election officer, in carrying out this
19 function, may make surveys, carry on house-to-house canvassing,
20 and assist or direct the clerk in any other area of
21 registration.



(c) The chief election officer shall maintain data concerning registered voters, elections, apportionment, and districting. The chief election officer shall use this data to assist the reapportionment commission provided for under Article IV of the Constitution.

(d) The chief election officer shall be responsible for public education with respect to voter registration and information.

(e) The chief election officer shall adopt rules governing elections in accordance with chapter 91."

SECTION 3. Section 11-7, Hawaii Revised Statutes, is amended to read as follows:

"~~[f]~~§11-7~~[f]~~ **Elections commission.** (a) There ~~[is]~~ shall be established an elections commission within the department of accounting and general services for administrative purposes. The elections commission shall consist of nine members who shall be ~~[selected as follows:]~~ nominated, and subsequently confirmed by the appointing body, as follows:

(1) The president of the senate shall ~~[select]~~ nominate two elections commission members;



- 1 (2) The speaker of the house of representatives shall
2 ~~[select]~~ nominate two elections commission members;
- 3 (3) The senators belonging to a party or parties different
4 from the president of the senate shall designate one
5 senator to ~~[select]~~ nominate two elections commission
6 members;
- 7 (4) The representatives belonging to a party or parties
8 different from the speaker of the house of
9 representatives shall designate one representative to
10 ~~[select]~~ nominate two elections commission members;
11 and
- 12 (5) One member, who shall serve as chairperson of the
13 elections commission, shall be ~~[selected]~~ nominated by
14 ~~[the]~~ a vote of two-thirds of all members ~~[of]~~ to
15 which the elections commission ~~[selected]~~ is entitled
16 and who have already been nominated and confirmed
17 pursuant to paragraphs (1) to (4);
- 18 provided that each group of four elections commission members
19 ~~[selected]~~ nominated by each house shall include one elections
20 commission member from each of the four counties.



1 ~~[(b) The chairperson of the elections commission under~~
2 ~~subsection (a) (5) shall be selected by a two-thirds vote.]~~

3 (b) The appointing body shall consist of the chief justice
4 of the supreme court, president of the senate, speaker of the
5 house of representatives, senate minority leader, and house
6 minority leader. The appointing body shall convene to confirm
7 any nominee within fifteen days of the nomination. Confirmation
8 shall require a majority vote of the members of the appointing
9 body. If the nominee fails to pass confirmation by the
10 appointing body, the nominating individual shall make a new
11 nomination within fifteen days.

12 (c) A vacancy in the elections commission shall be filled
13 in the same manner as the original ~~[appointment]~~ nomination
14 process as specified in subsection (a) within fifteen days and
15 confirmed by the appointing body as specified in subsection (b)
16 within thirty days. A vacancy in the elections commission shall
17 be filled with a person from the same county as the departing
18 elections commission member. Elections commission member
19 vacancies not filled within the times specified shall be filled
20 promptly thereafter by the chief justice of the supreme court.



1 (d) The elections commission shall act by majority vote of
2 its membership and shall establish its own procedures, except as
3 may be provided by law. A majority of all members to which the
4 commission is entitled shall constitute a quorum to do business.

5 (e) Notwithstanding section 26-34, elections commission
6 member appointments shall not be subject to senatorial
7 confirmation.

8 (f) The term of the elections commissioners shall be four
9 years, except that with respect to the terms of the initial
10 elections commission members, one member selected from each of
11 subsection (a)(1) to (4) shall serve for a term of two years.

12 (g) The elections commissioners shall serve without
13 compensation, but shall be reimbursed for reasonable expenses,
14 including travel expenses, necessary for the performance of
15 their duties."

16 SECTION 4. Section 11-7.5, Hawaii Revised Statutes, is
17 amended to read as follows:

18 "**§11-7.5 Duties of the elections commission.** The duties
19 of the elections commission are to:

20 (1) Hold public hearings;



- 1 (2) Investigate and hold hearings for receiving evidence
2 of any violations and complaints;
- 3 (3) Adopt rules pursuant to chapter 91;
- 4 (4) Employ, without regard to chapter 76, a full-time
5 chief election officer, pursuant to section 11-1.6;
- 6 (5) Conduct a performance evaluation of the chief election
7 officer within two months after the date a general
8 election is certified;
- 9 (6) Hold a public hearing on the performance of the chief
10 election officer [~~and consider the information~~
11 ~~gathered at the hearing in deliberations on the chief~~
12 ~~election officer's reappointment~~]; and
- 13 (7) Advise the chief election officer on matters relating
14 to elections."

15 SECTION 5. Statutory material to be repealed is bracketed
16 and stricken. New statutory material is underscored.

17 SECTION 6. If any provision of this Act, or the
18 application thereof to any person or circumstance, is held
19 invalid, the invalidity does not affect other provisions or
20 applications of the Act that can be given effect without the



1 invalid provision or application, and to this end the provisions
2 of this Act are severable.

3 SECTION 7. This Act shall take effect on July 1, 2029.

4

INTRODUCED BY:

Jan M. Tate
JAN 27 2026



H.B. NO. 2365

Report Title:

Election Reform; Elections Commission; Chief Election Officer; Appointment Process; Bipartisan; Transparency; Integrity

Description:

Requires the Chief Election Officer role to be an elected position by popular vote beginning with the 2030 general election. Amends the appointment process of the elections commission to subject nominations to confirmation by an appointing body. Makes conforming amendments.

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

