

~~JAN 22 2026~~

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## A BILL FOR AN ACT

RELATING TO ELECTIONS.

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

1 SECTION 1. Section 11-1, Hawaii Revised Statutes, is  
2 amended by adding a new definition to be appropriately inserted  
3 and to read as follows:

4        ~~"Presidential preference primary"~~ means an election  
5 whereby candidates associated with a political party receive  
6 votes to be its presidential nominee at its national  
7 convention."

8 SECTION 2. Section 11-62, Hawaii Revised Statutes, is  
9 amended by amending subsection (a) to read as follows:

10        "(a) Any group of persons hereafter desiring to qualify as  
11 a political party for election ballot purposes in the State  
12 shall file with the chief election officer a petition as  
13 provided in this section. The petition for qualification as a  
14 political party shall:

15        (1) Be filed ~~[not]~~ no later than 4:30 p.m. on the one  
16                    hundred seventieth day ~~[prior to]~~ before the next  
17                    primary~~[#]~~ election; provided that for a group of



1       persons to qualify as a political party for a  
2       presidential preference primary election, the petition  
3       for qualification shall be filed no later than 4:30  
4       p.m. on the ninetieth day before the close of filing  
5       of nomination papers for presidential candidates;  
6       (2) Declare as concisely as may be the intention of  
7       signers thereof to qualify as a statewide political  
8       party in the State and state the name of the new  
9       party;  
10      (3) Contain the name, signature, residence address, month  
11      and date portion of the date of birth, and other  
12      information as determined by the chief election  
13      officer of currently registered voters comprising not  
14      less than one-tenth of one per cent of the total  
15      registered voters of the State as of the last  
16      preceding general election;  
17      (4) Be accompanied by the names and addresses of the  
18      officers of the central committee and of the  
19      respective county committees of the political party  
20      and by the party rules; and



3 SECTION 3. Section 11-173.5, Hawaii Revised Statutes, is  
4 amended to read as follows:

"§11-173.5 Contests for cause in primary[~~or~~] elections,  
special primary elections, presidential preference primary  
elections, and county elections held concurrently with a  
regularly scheduled primary [~~or~~], special primary, or  
presidential preference primary election. (a) In a primary  
[and], special primary, or presidential preference primary  
election contest, or a county election contest held concurrently  
with a regularly scheduled primary [~~or~~], special primary, or  
presidential preference primary election, the complaint shall be  
filed in the office of the clerk of the supreme court no later  
than 4:30 p.m. on the thirteenth day after [~~a primary or special~~  
~~primary election or a county election contest held concurrently~~  
~~with a regularly scheduled primary or special primary~~] the  
election, and shall be accompanied by a deposit for costs of  
court as established by the rules of the supreme court. The  
clerk shall issue to the defendants named in the complaint a



1 summons to appear before the supreme court no later than 4:30  
2 p.m. on the fifth day after service of the summons.

3 (b) In primary [and], special primary, and presidential  
4 preference primary election contests, and county election  
5 contests held concurrently with a regularly scheduled primary  
6 [or], special primary, or presidential preference primary  
7 election, the court shall hear the contest in a summary manner  
8 and at the hearing the court shall cause the evidence to be  
9 reduced to writing and shall [not], no later than 4:30 p.m. on  
10 the fourth day after the return give judgment fully stating all  
11 findings of fact and conclusions of law. The judgment shall  
12 decide [what] which candidate was nominated or elected, or the  
13 number of votes received by each candidate and voting position  
14 in a presidential preference primary election, as the case may  
15 be, in the manner presented by the petition, and a certified  
16 copy of the judgment shall [forthwith] be served on the chief  
17 election officer or [the] county clerk, as the case may be, who  
18 shall place the name of the candidate declared to be nominated  
19 on the ballot for the forthcoming general, special general, or  
20 runoff election~~[–]~~; provided that the presidential candidates  
21 who appear on the general election ballot shall be determined in



1    a manner consistent with section 11-113. The judgment shall be  
2    conclusive of the right of the candidate so declared to be  
3    nominated; provided that this subsection shall not operate to  
4    amend or repeal section 12-41[‐]; provided further that the  
5    right of a presidential candidate to the office shall depend  
6    upon the outcome of the national electoral vote."

7       SECTION 4. Section 11-174.5, Hawaii Revised Statutes, is  
8    amended to read as follows:

9           "**§11-174.5 Contests for cause in general, special general, special, and runoff elections.** (a) In general, special  
10    general, special, or runoff elections, the complaint shall be  
11    filed in the office of the clerk of the supreme court [not] no  
12    later than 4:30 p.m. on the twentieth day following the general,  
13    special general, special, or runoff election and shall be  
14    accompanied by a deposit for costs of court as established by  
15    rules of the supreme court. The clerk shall issue to the  
16    defendants named in the complaint a summons to appear before the  
17    supreme court [not] no later than 4:30 p.m. on the tenth day  
18    after service thereof.

20           (b) In cases involving general, special general, special,  
21    or runoff elections, the complaint shall be heard by the supreme



1 court in which the complaint was filed as soon as it reasonably  
2 may be heard. On the return day, the court, upon its motion or  
3 otherwise, may direct summons to be issued to any person who may  
4 be interested in the result of the proceedings.

5 At the hearing, the court shall cause the evidence to be  
6 reduced to writing and shall give judgment, stating all findings  
7 of fact and conclusions of law. The judgment may [~~invalidate~~]:

8 (1)  Invalidate the general, special general, special, or  
9 runoff election on the grounds that a correct result  
10 cannot be ascertained because of a mistake or fraud on  
11 the part of the voter service center officials; [~~or~~  
12 ~~decide~~]

13 (2)  Decide that a certain candidate, or certain  
14 candidates, received a majority or plurality of votes  
15 cast and were elected~~[–]~~; or

16 (3)  Decide that a presidential candidate received a  
17  majority or plurality of votes cast and shall receive  
18  the State's presidential electors.

19 If the judgment [~~should be~~]  is that the general, special  
20 general, special, or runoff election was invalid, a certified  
21 copy thereof shall be filed with the governor, and the governor



1 shall duly call a new election to be held [not] no later than  
2 one hundred twenty days after the judgment is filed. If the  
3 court ~~shall decide~~ decides which candidate or candidates have  
4 been elected, or which presidential candidate received a  
5 majority or plurality of votes cast, a copy of that judgment  
6 shall be served on the chief election officer or county clerk,  
7 who shall sign and deliver to the candidate or candidates  
8 certificates of election, and the same shall be conclusive of  
9 the right of the candidate or candidates to the offices~~[.]~~;  
10 provided that the right of a presidential candidate to the  
11 office shall depend upon the outcome of the national electoral  
12 vote. The court shall issue any judgment in a case involving a  
13 presidential candidate before the convening of the electoral  
14 college."

15 SECTION 5. Section 12-1, Hawaii Revised Statutes, is  
16 amended to read as follows:

17 **"§12-1 Application of chapter.** All candidates for  
18 elective office, except as provided in section 14-21, shall be  
19 nominated in accordance with this chapter and not otherwise.  
20 This chapter is applicable to the presidential preference  
21 primary election, but shall not supersede section 11-113



1     concerning the names that will appear on the general election  
2     ballot."

3           SECTION 6. Section 12-2, Hawaii Revised Statutes, is  
4     amended to read as follows:

5           **"§12-2 Primary election held when; candidates only those**  
6     **nominated.** The primary election shall be held on the second  
7     Saturday of August in every even numbered year[–]; provided that  
8     the presidential preference primary election shall be held on  
9     the first Tuesday after the first Monday in April in any year  
10    that is evenly divisible by the number four and at which  
11    delegations to national party conventions are to be chosen. A  
12    presidential preference primary election shall not be considered  
13    a state holiday pursuant to section 8-1.

14          No person shall be a candidate for any general or special  
15     general election unless the person has been nominated in the  
16     immediately preceding primary or special primary[–] election;  
17     provided that, consistent with section 11-113, a presidential  
18    preference primary election candidate who is not the winner of  
19    the presidential preference primary election shall not be  
20    precluded from appearing on the general election ballot."



1 SECTION 7. Section 12-2.5, Hawaii Revised Statutes, is  
2 amended to read as follows:

3 **"§12-2.5 Nomination papers; when available.** Nomination  
4 papers shall be made available from the first working day of  
5 February in every even-numbered year; provided that in the case  
6 of a special primary or special election, nomination papers  
7 shall be made available [at least] no fewer than ten days [prior  
8 to] before the close of filing[.]; provided further that  
9 nomination papers for a presidential preference primary election  
10 shall only be for political parties recognized under section  
11 11-61 and shall become available no later than one hundred  
12 forty-five days before the presidential preference primary  
13 election to which they correspond."

14 SECTION 8. Section 12-3, Hawaii Revised Statutes, is  
15 amended to read as follows:

16 **"§12-3 Nomination paper; format; limitations.** (a) No  
17 candidate's name shall be printed upon any official ballot to be  
18 used at any primary, special primary, or special election unless  
19 a nomination paper was filed on the candidate's behalf and in  
20 the name by which the candidate is commonly known. The  
21 nomination paper shall be in a form prescribed and provided by



1 the chief election officer containing substantially the  
2 following information:

3 (1) A statement by the registered voters signing the form  
4 that they are eligible to vote for the candidate;

5 (2) A statement by the registered voters signing the form  
6 that they nominate the candidate for the office  
7 identified on the nomination paper issued to the  
8 candidate;

9 (3) The residence address and county in which the  
10 candidate resides;

11 (4) The legal name of the candidate, the name by which the  
12 candidate is commonly known, if different, the office  
13 for which the candidate is running, and the  
14 candidate's party affiliation or nonpartisanship; all  
15 of which are to be placed on the nomination paper by  
16 the chief election officer or the clerk before  
17 releasing the form to the candidate;

18 (5) Space for the name, signature, month and date portions  
19 of the date of birth, and residence address of each  
20 registered voter signing the form, and other  
21 information as determined by the chief election



- (6) A sworn certification by self-subscribing oath by the candidate that the candidate qualifies under the law for the office the candidate is seeking and that the candidate has determined that, except for the information provided by the registered voters signing the nomination papers, all of the information on the nomination papers is true and correct;
- (7) A sworn certification by self-subscribing oath by a party candidate that the candidate is a member of the party; provided that in a presidential preference primary election a party shall include membership in the national party or an affiliated political party in another state who will be sending delegates to the same national convention as the party as defined in section 11-61;
- (8) For candidates seeking elective county office, a sworn certification by self-subscribing oath by the candidate that the candidate has complied with the



1 relevant provisions of the applicable county charter  
2 and county ordinances pertaining to elected officials;

3 (9) A sworn certification by self-subscribing oath, where  
4 applicable, by the candidate that the candidate has  
5 complied with the provisions of article II, section 7,  
6 of the Hawaii State Constitution;

11 (11) The name the candidate wishes to be printed on the  
12 ballot and the mailing address of the candidate.



1 and separate sheets shall be provided by the chief election  
2 officer or the clerk.

3 (c) Nomination papers shall not be filed on behalf of any  
4 person for more than one party or for more than one office; nor  
5 shall any person file nomination papers both as a party  
6 candidate and as a nonpartisan candidate.

7 (d) The office and district for which the candidate is  
8 running, the candidate's name, and the candidate's party  
9 affiliation or nonpartisanship shall not be changed from that  
10 indicated on the nomination paper and separate sheets. If the  
11 candidate wishes to run for an office or district different from  
12 that for which the nomination paper states or under a different  
13 party affiliation or nonpartisanship, the candidate may request  
14 the appropriate nomination paper from the chief election officer  
15 or clerk and have it signed by the required number of registered  
16 voters.

17 (e) Nomination papers that contain alterations or changes  
18 made by anyone other than the chief election officer or the  
19 clerk to the candidate's information, the candidate's party  
20 affiliation or nonpartisanship, the office to which the  
21 candidate seeks nomination, or the oath of loyalty or



1 affirmation, after the nomination paper was issued by the chief  
2 election officer or clerk, shall be void and shall not be  
3 accepted for filing by the chief election officer or clerk.

4 (f) Nomination papers that are incomplete and do not  
5 contain all of the certifications, signatures, and requirements  
6 of this section shall be void.

7 (g) The chief election officer shall provide a system for  
8 the electronic filing of nomination papers, including the  
9 submission of the notarized written oath or affirmation and any  
10 other required documentation and the deposit of the filing fee.  
11 No additional fee shall be charged to the filer for using the  
12 electronic filing system.

13 (h) This section shall additionally apply to candidates  
14 seeking to appear on the presidential preference primary  
15 election ballot for a political party recognized under section  
16 11-61; provided that no nonpartisan candidates shall be  
17 permitted in a presidential preference primary election."

18 SECTION 9. Section 12-4, Hawaii Revised Statutes, is  
19 amended to read as follows:

20 **"§12-4 Nomination papers; qualifications of signers. (a)**  
21 No person shall sign the nomination papers of more than one



1 candidate, partisan or nonpartisan, for the same office, unless  
2 there is more than one office in a class in which case no person  
3 shall sign papers for more than the actual number of offices in  
4 a class. Nomination papers shall be construed in this regard  
5 according to priority of filing, and the name of any person  
6 appearing thereon shall be counted only so long as this  
7 provision is not violated, and not thereafter.

8 (b) Names on nomination papers shall not be counted,  
9 unless the signer is a registered voter and is eligible to vote  
10 for the candidate. The chief election officer or clerk shall  
11 use the most currently compiled general county register  
12 available at the time the nomination paper is presented for  
13 filing to determine the eligibility of the registered voters to  
14 sign for the candidate. Voter registration affidavits that have  
15 not been entered into the voter register by the clerk shall not  
16 be considered or accepted for this check. At the time of  
17 filing, the chief election officer or clerk may reject the  
18 candidate's nomination paper for lack of sufficient signers who  
19 are eligible to vote for the candidate.

20 (c) Any registered voter who, after signing a nomination  
21 paper, seeks to withdraw the voter's signature shall do so by



1 providing written notice to the chief election officer, or clerk  
2 in the case of a county office, any time before the filing of  
3 the candidate's nomination paper; provided that the notice is  
4 received by the chief election officer, or clerk in the case of  
5 a county office, no later than 4:30 p.m. on the fourth business  
6 day ~~prior to~~ before the close of filing pursuant to section  
7 12-6. The written notice shall include the voter's name~~7~~ and  
8 residence address, the month and date portions of the voter's  
9 date of birth, the voter's signature, the name of the candidate,  
10 and a statement that the voter wishes to remove the voter's  
11 signature from the candidate's nomination paper; provided that  
12 the written notice shall not require the voter's social security  
13 number or any portion thereof and the year portion of the  
14 voter's date of birth. Any request by a registered voter to  
15 remove the voter's signature from a candidate's nomination paper  
16 that is received by the chief election officer, or clerk in the  
17 case of a county office, after the candidate's nomination paper  
18 has been filed or after 4:30 p.m. on the fourth business day  
19 ~~prior to~~ before the close of filing shall not be accepted.

20 (d) Within twenty-four hours upon receipt of a written  
21 notice pursuant to subsection (c), the chief election officer,



1 or clerk in the case of a county office, shall send written  
2 notice via registered mail to the candidate that the voter  
3 requested to have the voter's signature removed from the  
4 candidate's nomination paper and that the signature of the voter  
5 shall not be counted.

6 (e) This section shall additionally apply to candidates  
7 seeking to appear on the presidential preference primary  
8 election ballot for a political party recognized under  
9 section 11-61."

10 SECTION 10. Section 12-5, Hawaii Revised Statutes, is  
11 amended to read as follows:

12 "§12-5 Nomination papers: number of signers. (a)  
13 Nomination papers for candidates for president in the  
14 presidential preference primary election shall be signed by not  
15 less than twenty-five registered voters of the State.

16 [+a+] (b) Nomination papers for candidates for members of  
17 Congress, governor, and lieutenant governor shall be signed by  
18 not less than twenty-five registered voters of the State or of  
19 the Congressional district from which the candidates are running  
20 in the case of candidates for the United States House of  
21 Representatives.



1        [←b] (c) Nomination papers for candidates for either  
2 branch of the legislature and for county office shall be signed  
3 by not less than fifteen registered voters of the district or  
4 county or subdivision thereof for which the person nominated is  
5 a candidate.

6        [←c] (d) Nomination papers for candidates for members of  
7 the board of trustees of the office of Hawaiian affairs shall be  
8 signed by not less than twenty-five persons registered to vote.

9        [←d] (e) No signatures shall be required on nomination  
10 papers for candidates filing to run in a special primary or  
11 special election to fill a vacancy."

12        SECTION 11. Section 12-6, Hawaii Revised Statutes, is  
13 amended as follows:

14        1. By amending subsection (a) to read:

15        "(a) For members of Congress, state offices, county  
16 offices, and the board of trustees for the office of Hawaiian  
17 affairs, nomination papers shall be filed with the chief  
18 election officer, or clerk in case of county offices, no later  
19 than 4:30 p.m. on the first Tuesday in June[~~, provided that in~~].  
20 For presidential candidates, nomination papers shall be filed  
21 with the chief election officer no later than 4:30 p.m. on the



1    eighty-fifth day before the date of the presidential preference  
2    primary election. In the event of a special primary or special  
3    election, the filing deadline shall be determined in the  
4    proclamation that calls for the election as provided for by  
5    state law or county charter. A state candidate from the  
6    counties of Hawaii, Maui, and Kauai may file the declaration of  
7    candidacy with the respective clerk. The clerk shall transmit  
8    to the office of the chief election officer the state  
9    candidate's declaration of candidacy without delay. Nomination  
10   papers may be filed electronically with the chief election  
11   officer, or clerk in the case of a county office, using an  
12   electronic filing system operated and maintained by the office  
13   of elections; provided that no additional fee shall be charged  
14   to the filer for submitting nomination papers electronically."

15        2. By amending subsections (c) through (f) to read:

16        "[+] (c) [+] There shall be deposited with each nomination  
17   paper a filing fee on account of the expenses attending the  
18   holding of the primary, special primary, or special election  
19   which shall be paid into the treasury of the State, or county,  
20   as the case may be, as a realization:

21        (1) For president of the United States--\$750;



1        (1) (2) For United States senators ~~and~~ --\$750;

2        (3) For United States representatives--[\$75;] \$375;

3        (2) (4) For governor and lieutenant governor--\$750;

4        (3) (5) For mayor--\$500; and

5        (4) (6) For all other offices--\$250.

6        [f] (d) [f] Upon the receipt by the chief election officer  
7 or the clerk of the nomination paper of a candidate, the day,  
8 hour, and minute when it was received shall be endorsed thereon.

9        (e) Upon the showing of a certified copy of an affidavit

10 ~~[which]~~ that has been filed with the campaign spending

11 commission pursuant to section 11-423 by a candidate who has

12 voluntarily agreed to abide by spending limits, the chief

13 election officer or clerk shall discount the filing fee of the

14 candidate by the following amounts:

15        (1) For the office of governor and lieutenant governor--  
16                    \$675;

17        (2) For the office of mayor--\$450; and

18        (3) For all other offices--\$225.

19        [f] (f) [f] The chief election officer or clerk shall waive  
20 the filing fee in the case of a person who declares, by  
21 affidavit, that the person is indigent and who has filed a



1 petition signed by currently registered voters who constitute at  
2 least one-half of one per cent of the total voters registered at  
3 the last preceding general election in the respective district  
4 or districts [which] that correspond to the specific office for  
5 which the indigent person is a candidate. This petition shall  
6 be submitted on the form prescribed and provided by the chief  
7 election officer together with the nomination paper required by  
8 this chapter."

9 SECTION 12. Section 12-7, Hawaii Revised Statutes, is  
10 amended to read as follows:

11 "**\$12-7 Filing of oath.** The name of [no] a candidate for  
12 any office shall not be printed upon any official ballot, in any  
13 election, including a presidential preference primary election,  
14 unless the candidate [shall have] has taken and subscribed to  
15 the following written oath or affirmation, and filed the oath  
16 with the candidate's nomination papers.

17 The written oath or affirmation shall be in the following  
18 form:

19 "I,....., do solemnly swear and declare, on oath  
20 that if elected to office I will support and defend the  
21 Constitution and laws of the United States of America, and the



1 Constitution and laws of the State of Hawaii, and will bear true  
2 faith and allegiance to the same; that if elected I will  
3 faithfully discharge my duties as.....(name of  
4 office).....to the best of my ability; that I take  
5 this obligation freely, without any mental reservation or  
6 purpose of evasion; So help me God."

7 Upon being satisfied as to the sincerity of any person  
8 claiming that the person is unwilling to take the above  
9 prescribed oath only because the person is unwilling to be  
10 sworn, the person may be permitted, in lieu of the oath, to make  
11 the person's solemn affirmation which shall be in the same form  
12 as the oath except that the words "sincerely and truly affirm"  
13 shall be substituted for the word "swear" and the phrases "on  
14 oath" and "So help me God" shall be omitted. [Sueh] The  
15 affirmation shall be of the same force and effect as the  
16 prescribed oath.

17 The oath or affirmation shall be subscribed before the  
18 officer administering the same, who shall endorse thereon the  
19 fact that the oath was subscribed and sworn to or the  
20 affirmation was made together with the date thereof and affix



1 the seal of the officer's office or of the court of which the  
2 officer is a judge or clerk.

3 It shall be the duty of every notary public or other public  
4 officer by law authorized to administer oaths to administer the  
5 oath or affirmation prescribed by this section and to furnish  
6 the required endorsement and authentication."

7 SECTION 13. Section 12-8, Hawaii Revised Statutes, is  
8 amended as follows:

9 1. By amending subsection (a) to read:

10 "(a) All nomination papers filed in conformity with  
11 section 12-3 shall be deemed valid unless objection is made  
12 thereto by a registered voter, an officer of a political party  
13 whose name is on file with the chief election officer, the chief  
14 election officer, or the county clerk in the case of a county  
15 office. All objections shall be filed in writing [not] no later  
16 than 4:30 p.m. on the sixtieth day or the next earliest working  
17 day [~~prior to~~] before the primary or special election[.];  
18 provided that objections to the nomination papers of  
19 presidential candidates shall be filed in writing no later than  
20 4:30 p.m. on the seventy-fifth day or the next earliest working  
21 day before the presidential preference primary election."



1        2. By amending subsection (f) to read:

2        "(f) If a political party objects to the nomination paper  
3        filed by a candidate because the candidate is not a member of  
4        the party pursuant to the party's rules filed in conformance  
5        with section 11-63, or for a presidential preference primary  
6        election a political party objects to the nomination paper filed  
7        by a candidate because the candidate is not associated with the  
8        national party that the candidate claims to be associated with  
9        or an affiliated party in another state who will be sending  
10        delegates to the same national convention, an officer of the  
11        party whose name appears on file with the chief election officer  
12        shall file a complaint in the circuit court for a prompt  
13        determination of the objection; provided that the complaint  
14        shall be filed with the clerk of the circuit court [not] no  
15        later than 4:30 p.m. on the sixtieth day or the next earliest  
16        working day [prior to] before that election day[.]; provided  
17        further that a complaint objecting to the nomination papers of a  
18        presidential candidate shall be filed with the clerk of the  
19        circuit court no later than 4:30 p.m. on the seventy-fifth day  
20        or the next earliest working day before the presidential  
21        preference primary election."



1 SECTION 14. Section 12-9, Hawaii Revised Statutes, is  
2 amended to read as follows:

3 **"§12-9 List of candidates.** As soon as possible but [not]  
4 no later than 4:30 p.m. on the fifth day after the close of  
5 filings, the chief election officer shall transmit to each county  
6 clerk and the county clerk shall transmit to the chief election  
7 officer certified lists containing the names of all persons, the  
8 office for which each is a candidate, and their party  
9 designation, or designation of nonpartisanship, as the case may  
10 be, for whom nomination papers have been duly filed in [his] the  
11 chief election officer's or county clerk's office and who are  
12 entitled to be voted for at the primary, special primary, or  
13 special election[–]; provided that nonpartisan candidates shall  
14 not be permitted in a presidential preference primary election."

15 SECTION 15. Section 12-21, Hawaii Revised Statutes, is  
16 amended to read as follows:

17 **"§12-21 Official party ballots.** The primary or special  
18 election primary ballot shall be clearly designated as such.  
19 The names of the candidates of each party qualifying under  
20 section 11-61 or 11-62 and of nonpartisan candidates may be  
21 printed on separate ballots, or on a single ballot[–]; provided



1       that any names of nonpartisan candidates shall not be permitted  
2       on the ballot in a presidential preference primary election.  
3       The name of each party and the nonpartisan designation shall be  
4       distinctly printed and sufficiently separate from each other.  
5       The names of all candidates shall be printed on the ballot as  
6       provided in section 11-115. When the names of all candidates of  
7       the same party for the same office exceed the maximum number of  
8       voting positions on a single side of a ballot card, the excess  
9       names may be arranged and listed on both sides of the ballot  
10      card and additional ballot cards if necessary. When separate  
11      ballots for each party are not used, the order in which parties  
12      appear on the ballot, including nonpartisan, shall be determined  
13      by lot.

14           The chief election officer or the county clerk, in the case  
15       of county elections, shall approve printed samples or proofs of  
16       the respective party ballots as to uniformity of size, weight,  
17       shape, and thickness ~~[prior to]~~ before final printing of the  
18       official ballots."

19           SECTION 16. Section 12-31, Hawaii Revised Statutes, is  
20       amended to read as follows:



1       "§12-31   Selection of party ballot; voting.   No person  
2   eligible to vote in any primary or special primary election  
3   shall be required to state a party preference or nonpartisanship  
4   as a condition of voting.   Each voter shall be issued the  
5   primary or special primary election ballot for each party and  
6   the nonpartisan primary or special election primary ballot.   A  
7   voter shall be entitled to vote only for candidates of one party  
8   or only for nonpartisan candidates[‐]; provided that nonpartisan  
9   candidates shall not be on the ballot in a presidential  
10   preference primary election.   If the primary or special primary  
11   election ballot is marked contrary to this paragraph, the ballot  
12   shall not be counted.

13       In any primary or special primary election in the year 1979  
14   and thereafter, a voter shall be entitled to select and to vote  
15   the ballot of any one party or nonpartisan, regardless of which  
16   ballot the voter voted in any preceding primary or special  
17   primary election[‐]; provided that any nonpartisan candidates  
18   shall not be on the ballot in a presidential preference primary  
19   election."

20       SECTION 17.   Section 12-41, Hawaii Revised Statutes, is  
21   amended to read as follows:



1           **"§12-41   Result of election.** (a) The person or persons  
2 receiving the greatest number of votes at the primary or special  
3 primary election as a candidate of a party for an office shall  
4 be the candidate of the party at the following general or  
5 special general election but not more candidates for a party  
6 than there are offices to be elected; provided that any  
7 candidate for any county office who is the sole candidate for  
8 that office at the primary or special primary election, or who  
9 would not be opposed in the general or special general election  
10 by any candidate running on any other ticket, nonpartisan or  
11 otherwise, and who is nominated at the primary or special  
12 primary election shall, after the primary or special primary  
13 election, be declared to be duly and legally elected to the  
14 office for which the person was a candidate regardless of the  
15 number of votes received by that candidate.

16           (b) Any nonpartisan candidate receiving at least ten per  
17 cent of the total votes cast for the office for which the person  
18 is a candidate at the primary or special primary[~~r~~] election, or  
19 a vote equal to the lowest vote received by the partisan  
20 candidate who was nominated in the primary or special primary[~~r~~]  
21 election, shall also be a candidate at the following election;



1 provided that when more nonpartisan candidates qualify for  
2 nomination than there are offices to be voted for at the general  
3 or special general election, there shall be certified as  
4 candidates for the following election those receiving the  
5 highest number of votes, but not more candidates than are to be  
6 elected.

7       (c) Notwithstanding subsections (a) and (b), a candidate  
8 who receives the most votes in a presidential preference primary  
9 election shall not necessarily appear on the general election  
10 ballot. The candidates who appear on the general election  
11 ballot shall be determined in a manner consistent with section  
12 11-113.

13       (d) Political parties shall send delegates to their  
14 respective national conventions in accordance with the  
15 convention's rules concerning delegates from each state, which  
16 may or may not factor in the results of the presidential  
17 preference primary election."

18       SECTION 18. Section 12-42, Hawaii Revised Statutes, is  
19 amended to read as follows:

20       **"§12-42 Unopposed candidates declared elected.** (a) Any  
21 candidate running for any office in the State [of Hawaii] in a



1 special election or special primary election who is the sole  
2 candidate for that office shall, after the close of filing of  
3 nomination papers, be deemed and declared to be duly and legally  
4 elected to the office for which the person is a candidate. The  
5 term of office for a candidate elected under this subsection  
6 shall begin respectively on the day of the special election or  
7 on the day of the immediately succeeding special general  
8 election.

9 (b) Any candidate running for any office in the State [of  
10 Hawaii] in a special general election who was only opposed by a  
11 candidate or candidates running on the same ticket in the  
12 special primary election and is not opposed by any candidate  
13 running on any other ticket, nonpartisan or otherwise, and is  
14 nominated at the special primary election shall, after the  
15 special primary[~~r~~] election, be deemed and declared to be duly  
16 and legally elected to the office for which the person is a  
17 candidate at the special primary election regardless of the  
18 number of votes received. The term of office for a candidate  
19 elected under this subsection shall begin on the day of the  
20 special general election.



1                   (c) Notwithstanding subsections (a) and (b), an unopposed  
2 candidate in a presidential preference primary election shall  
3 not be considered to have won the general election outright."

4                   SECTION 19. Beginning with the 2028 election, the State  
5 shall conduct a presidential preference primary election.

6                   SECTION 20. There is appropriated out of the general  
7 revenues of the State of Hawaii the sum of \$8,600,848 or so much  
8 thereof as may be necessary for fiscal year 2026-2027 for the  
9 administration of the presidential preference primary election  
10 in 2028.

11                  The sum appropriated shall be expended by the office of  
12 elections for the purposes of this Act.

13                  SECTION 21. There is appropriated out of the general  
14 revenues of the State of Hawaii the sum of \$3,561,150 or so much  
15 thereof as may be necessary for fiscal year 2026-2027 as a  
16 grant-in-aid to the counties for the administration of the  
17 presidential preference primary election in 2028 as follows:

- 18                  (1) \$516,150 to the county of Hawaii;
- 19                  (2) \$1,550,000 to the city and county of Honolulu;
- 20                  (3) \$295,000 to the county of Kauai; and
- 21                  (4) \$1,200,000 to the county of Maui.



1        The sum appropriated shall be expended by the counties for  
2 the purposes of this Act.

3        SECTION 22. Statutory material to be repealed is bracketed  
4 and stricken. New statutory material is underscored.

5        SECTION 23. This Act shall take effect on July 1, 2026;  
6 provided that sections 1 through 18 shall take effect on  
7 January 1, 2027.

8

INTRODUCED BY: Karl Rhoade



# S.B. NO. 2450

**Report Title:**

Presidential Preference Primary Election; Establishment;  
Appropriation

**Description:**

Beginning 1/1/2027, establishes presidential preference primary elections for the 2028 election cycle. Appropriates funds.

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

