

STAND. COM. REP. NO.

2152

Honolulu, Hawaii

FEB 11 2026

RE: S.B. No. 2315
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Third State Legislature
Regular Session of 2026
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B.
No. 2315 entitled:

"A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE XVII,
SECTION 3 OF THE HAWAII STATE CONSTITUTION TO SPECIFY THAT
THE STANDARD FOR VOTER APPROVAL OF A CONSTITUTIONAL AMENDMENT
PROPOSED BY THE LEGISLATURE IS A MAJORITY OF ALL THE VOTES
TALLIED UPON THE QUESTION,"

begs leave to report as follows:

The purpose and intent of this measure is to amend article
XVII, section 3, of the Hawaii State Constitution regarding the
standard of ratification of a constitutional amendment proposed by
the Legislature to require that a majority of all the votes
tallied upon the question be a "yes" vote, and not include blank,
spoiled, and over votes in determining whether a majority was
reached.

Your Committee received testimony in support of this measure
from the League of Women Voters of Hawaii and three individuals.

Your Committee received testimony in opposition to this
measure from two individuals.

Your Committee finds that pursuant to the Hawaii State
Constitution, the standard for passage of a proposed
constitutional amendment is two-fold. First, a majority of voters



must have voted "yes" on the proposed amendment question, based on the majority of all the votes tallied upon the question, per the requirement of article XVII, section 2, of the Hawaii State Constitution. Second, this majority must also represent a majority of all votes cast in the election, per the requirement that the majority constitute at least fifty percent of the total vote cast at the election, meaning that all ballots that are validly returned are considered to have been cast. If a voter responded to the proposed amendment question by leaving the answer blank, spoiling the ballot, or over voting, the answer is counted as a "no" vote. Thus, when factoring all votes cast, the actual threshold for passage of a state constitutional amendment can be significantly higher than fifty percent of voters voting "yes" or "no" on the question. The constitutional amendment proposed by this measure will prevent confusion and avoid unintended results by the voter by only counting ballots that indicate a "no" vote on a constitutional amendment as "no".

Your Committee has amended this measure by clarifying the question to be printed on the ballot.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2315, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2315, S.D. 1, and be referred to your Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



KARL RHOADS, Chair



The Senate
Thirty-Third Legislature
State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:* SB 2315	Committee Referral: JDC, WAM	Date: 2/3/26		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <div style="display: flex; justify-content: space-between;"> <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313 </div>				
Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	✓			
GABBARD, Mike (VC)	✓			
CHANG, Stanley	✓			
SAN BUENAVENTURA, Joy A.			✓	
AWA, Brenton			✓	
TOTAL	3	—	2	—
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink File with Committee Report Committee Drafting Agency				

*Only one measure per Record of Votes