
A BILL FOR AN ACT

RELATING TO ELECTIONS.

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

1 SECTION 1. The legislature finds that under existing
2 election law, certain political parties are required to
3 repeatedly petition to retain ballot access, despite having
4 demonstrated consistent voter support. This recurring
5 requirement imposes unnecessary administrative and financial
6 burdens on these political parties and the office of elections,
7 without advancing election integrity or promoting voter
8 participation.

9 The legislature further finds that uninterrupted ballot
10 qualification over extended periods demonstrates durable voter
11 support, organizational stability, and ongoing compliance with
12 election laws. Requiring political parties with continuous
13 qualification to repeatedly petition for ballot access is
14 redundant and administratively inefficient.

15 The purpose of this Act is to promote fairness and equal
16 treatment among political parties, reduce unnecessary
17 administrative burdens on political parties and the State,



1 recognize sustained voter support and organizational stability,
2 and ensure consistent, predictable, and nondiscriminatory ballot
3 access in Hawaii elections. Specifically, this Act establishes
4 a process by which any political party continuously listed on
5 the general election ballot for eight or more years shall be
6 deemed continuously qualified for ballot placement.

7 SECTION 2. Chapter 11, Hawaii Revised Statutes, is amended
8 by adding a new section to be appropriately designated and to
9 read as follows:

10 "§11-___ Continuous qualification of political parties;
11 exemption from petition requirements. (a) Notwithstanding any
12 other law to the contrary, any political party that has been
13 continuously qualified and listed on the general election ballot
14 for eight consecutive years or more shall be deemed continuously
15 qualified for placement on the election ballot without further
16 petition requirements.

17 (b) The chief election officer shall certify a political
18 party's eligibility for continuous qualification under
19 subsection (a) based on historical ballot records.

20 (c) A political party deemed continuously qualified under
21 this section shall retain that status until the political party:



- 1 (1) Dissolves;
- 2 (2) Voluntarily withdraws from participation in the
3 election ballot;
- 4 (3) Fails to comply with applicable organizational,
5 reporting, or filing requirements under this chapter
6 or other applicable law; or
- 7 (4) Fails to have at least one candidate appear on the
8 ballot for a partisan office in which the candidate
9 elected is determined solely by the voters of the
10 State for two consecutive general elections.

11 (d) Nothing in this section shall be construed to limit or
12 impair the authority of the office of elections or the chief
13 election officer to administer, enforce, or require compliance
14 with any election law, rule, filing requirement, or enforcement
15 provision unrelated to petition-based ballot qualification."

16 SECTION 3. Section 11-61, Hawaii Revised Statutes, is
17 amended to read as follows:

18 "~~§11-61 ["Political party" defined.]~~ Political party;
19 definition; disqualification. (a) [~~The term~~] For the purposes
20 of this part, "political party" means [any party which has
21 qualified as a political party under sections 11-62 and 11-64



1 ~~and has not been disqualified by this section. A political~~
2 ~~party shall be~~ an association of voters that is united for the
3 purpose of promoting a common political end or carrying out a
4 particular line of political policy and ~~[which maintains]:~~

5 (1) Maintains a general organization throughout the State,
6 including a regularly constituted central committee
7 and county committees in each county other than
8 Kalawao~~[-]~~;

9 (2) Has qualified as a political party under section 11-62
10 or 11- ;

11 (3) Complies with sections 11-63 and 11-64; and

12 (4) Has not been disqualified by this section.

13 (b) Any party ~~[which]~~ that does not meet the following
14 requirements, or the requirements set forth in sections 11-62 to
15 11-64, shall be subject to disqualification:

16 (1) A party must have had candidates running for election
17 at the last general election for any of the offices
18 listed in paragraph (2) whose terms had expired~~[-~~
19 ~~This]~~; provided that this does not include those
20 offices ~~[which]~~ that were vacant because the incumbent



1 had died or resigned before the end of the incumbent's
2 term; and
3 (2) The party received at least ten per cent of all votes
4 cast:
5 (A) For any of the offices voted upon by all the
6 voters in the State; or
7 (B) In at least fifty per cent of the congressional
8 districts; [~~or~~]
9 (3) The party received at least four per cent of all the
10 votes cast for all the offices of state senator
11 statewide; [~~or~~]
12 (4) The party received at least four per cent of all the
13 votes cast for all the offices of state representative
14 statewide; or
15 (5) The party received at least two per cent of all the
16 votes cast for all the offices of state senate and all
17 the offices of state representative combined
18 statewide[~~or~~];
19 provided that this subsection shall not apply to any political
20 party deemed continuously qualified pursuant to section 11- ."



1 SECTION 4. Section 11-62, Hawaii Revised Statutes, is
2 amended as follows:

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

4 "(a) Any group of persons hereafter desiring to qualify as
5 a political party for election ballot purposes in the State
6 shall file with the chief election officer a petition as
7 provided in this section~~[-]~~; provided that this section shall
8 not apply to any political party deemed continuously qualified
9 pursuant to section 11- . The petition for qualification as a
10 political party shall:

11 (1) Be filed [~~not~~] no later than 4:30 p.m. on the one
12 hundred seventieth day [~~prior to~~] before the next
13 primary;

14 (2) Declare as concisely as may be the intention of
15 signers thereof to qualify as a statewide political
16 party in the State and state the name of the new
17 party;

18 (3) Contain the name, signature, residence address, month
19 and date portion of the date of birth, and other
20 information as determined by the chief election
21 officer of currently registered voters comprising



1 ~~not~~ no less than one-tenth of one per cent of the
2 total registered voters of the State as of the last
3 preceding general election;

4 (4) Be accompanied by the names and addresses of the
5 officers of the central committee and of the
6 respective county committees of the political party
7 and by the party rules; and

8 (5) Be upon the form prescribed and provided by the chief
9 election officer."

10 2. By amending subsection (d) to read:

11 "(d) Each group of persons desiring to qualify as a
12 political party, having first qualified as a political party by
13 petition under this section, and having been qualified as a
14 political party for three consecutive general elections by
15 petition or pursuant to section 11-61(b), shall be deemed a
16 political party for the following ten-year period. The ten-year
17 period shall begin with the next regularly scheduled general
18 election; provided that each party qualified under this section
19 shall continue to field candidates for public office during the
20 ten-year period following qualification. After each ten-year
21 period, the party qualified under this section shall either



1 remain qualified under the standards set forth in section 11-61,
2 qualify pursuant to section 11- , or requalify under this
3 section [~~11-62~~]."

4 SECTION 5. Section 12-21, Hawaii Revised Statutes, is
5 amended to read as follows:

6 "**§12-21 Official party ballots.** The primary or special
7 primary ballot shall be clearly designated as such. The names
8 of the candidates of each party qualifying under section 11-61
9 [~~or~~], 11-62, or 11- and of nonpartisan candidates may be
10 printed on separate ballots, or on a single ballot. The name of
11 each party and the nonpartisan designation shall be distinctly
12 printed and sufficiently separate from each other. The names of
13 all candidates shall be printed on the ballot as provided in
14 section 11-115. When the names of all candidates of the same
15 party for the same office exceed the maximum number of voting
16 positions on a single side of a ballot card, the excess names
17 may be arranged and listed on both sides of the ballot card and
18 additional ballot cards if necessary. When separate ballots for
19 each party are not used, the order in which parties appear on
20 the ballot, including nonpartisan, shall be determined by lot.



1 The chief election officer or the county clerk, in the case
2 of county elections, shall approve printed samples or proofs of
3 the respective party ballots as to uniformity of size, weight,
4 shape, and thickness [~~prior to~~] before final printing of the
5 official ballots."

6 SECTION 6. Statutory material to be repealed is bracketed
7 and stricken. New statutory material is underscored.

8 SECTION 7. This Act shall take effect on July 1, 3000;
9 provided that the requirements under section 11- , Hawaii
10 Revised Statutes, may be satisfied by a political party based on
11 appearances on previous general election ballots.



Report Title:

Elections; Political Parties; Qualification; Ballot Placement

Description:

Establishes a process by which any political party continuously listed on the general election ballot for eight or more years shall be deemed continuously qualified for ballot placement. Effective 7/1/3000. (HD1)

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

