
A BILL FOR AN ACT

RELATING TO LAWMAKER SAFETY.

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

1 SECTION 1. This Act shall be known and may be cited as the
2 Protecting Legislators' Safety Act.

3 SECTION 2. The legislature finds that political violence
4 is the antithesis of democracy because it subverts the
5 foundational principles of democracy. Political violence
6 stifles critical forms of public engagement, including voting,
7 community organizing, and running for office. Political
8 violence also chills free expression by replacing debate and
9 discussion with threats and intimidation.

10 The legislature further finds that the incidence of
11 political violence against legislators in the United States is
12 increasing. Incidents include the arrest of a pardoned U.S.
13 Capitol rioter for threatening to "eliminate" the U.S. House
14 Minority Leader, the assassination of a Minnesota state
15 representative and attempted assassination of a Minnesota state
16 senator, the bomb threats against Texas lawmakers, the battery



1 of the former U.S. House Speaker's spouse, and shooting at a
2 baseball practice of Republican congresspersons.

3 Accordingly, the purpose of this Act is to protect the
4 safety of state legislators by limiting the availability of
5 legislators' personal information.

6 SECTION 3. Section 11-14.5, Hawaii Revised Statutes, is
7 amended to read as follows:

8 "**§11-14.5 Residence address; confidentiality.** (a) If a
9 [~~life-threatening~~] life-threatening circumstance exists to:

- 10 (1) A law enforcement person;
11 (2) The law enforcement person's family; or
12 (3) Persons otherwise determined by the clerk of the
13 county in which the person is registered,
14 that person may apply to the county clerk in writing to keep
15 confidential the information relating to the residence address
16 and telephone number contained in the affidavit of registration
17 of that person, or any list or register prepared therefrom.

18 (b) If the disclosure of the residence address or
19 telephone number of a person would result in an unwarranted
20 invasion of personal privacy or expose the person or a member of
21 the person's family to risk of bodily harm, the person may apply



1 to the chief election officer or county clerk to keep
2 confidential the person's residence address and telephone number
3 contained in the person's affidavit of registration, or any list
4 or register prepared therefrom.

5 (c) Upon good cause shown, the clerk shall determine
6 whether to grant confidentiality in accordance with rules
7 established by the chief election officer, and that decision
8 shall be final.

9 (d) Notwithstanding subsections (a) through (c), the
10 residence address and telephone number of any member of the
11 legislature, whether elected or appointed, contained in the
12 member's affidavit of registration and any list or register
13 prepared therefrom, shall be kept confidential by the county
14 clerk without the need for the member to demonstrate a life-
15 threatening circumstance; provided that a member of the
16 legislature may affirmatively elect in writing to opt out of
17 this confidentiality.

18 No later than three days after a person is declared duly
19 and legally elected pursuant to chapter 12 or appointed pursuant
20 to section 17-3 or 17-4 to the office of state senator or state



1 representative, the county clerk shall implement the
2 confidentiality protections required by this subsection.

3 ~~[(d)]~~ (e) If the voter registration of a person covered by
4 this section is challenged, the clerk shall release the
5 residence address of that person to the challenger pursuant to
6 rules established by the chief election officer. If an appeal
7 is taken relating to the challenge, the residence address shall
8 also be released to the appropriate appellate body.

9 (f) Nothing in this section shall be construed to limit
10 the disclosure of a residence address when required for purposes
11 of nomination papers, nomination paper challenges, election
12 contests, or the determination of the qualifications of members
13 of the legislature pursuant to article III, section 12, of the
14 Hawaii State Constitution."

15 SECTION 4. Section 11-331, Hawaii Revised Statutes, is
16 amended by amending subsection (f) to read as follows:

17 "(f) All reports filed under this part are public records
18 and shall be made available for public inspection on the
19 commission's website in a searchable database~~[-]~~; provided that
20 the commission shall not make the residence address of a person
21 who is declared to be duly and legally elected pursuant to



1 chapter 12 or appointed pursuant to section 17-3 or 17-4 to the
2 office of state senator or state representative available to the
3 public on the searchable database unless the person opts out of
4 having the residence address remain confidential.

5 Nothing in this subsection shall be construed to prohibit
6 the commission from collecting, retaining, or using residence
7 address information for purposes of administration, audit,
8 investigation, or enforcement of this chapter."

9 SECTION 5. Section 12-3, Hawaii Revised Statutes, is
10 amended to read as follows:

11 "**§12-3 Nomination paper; format; limitations.** (a) No
12 candidate's name shall be printed upon any official ballot to be
13 used at any primary, special primary, or special election unless
14 a nomination paper was filed on the candidate's behalf and in
15 the name by which the candidate is commonly known. The
16 nomination paper shall be in a form prescribed and provided by
17 the chief election officer containing substantially the
18 following information:

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



- 1 (2) A statement by the registered voters signing the form
2 that they nominate the candidate for the office
3 identified on the nomination paper issued to the
4 candidate;
- 5 (3) The candidate's name, residence address, and [county
6 ~~in which the candidate resides,]~~ other information as
7 required by the chief election officer;
- 8 (4) The legal name of the candidate, the name by which the
9 candidate is commonly known, if different, the office
10 for which the candidate is running, and the
11 candidate's party affiliation or nonpartisanship; all
12 of which are to be placed on the nomination paper by
13 the chief election officer or the clerk prior to
14 releasing the form to the candidate;
- 15 (5) Space for the name, signature, month and date portions
16 of the date of birth, and residence address of each
17 registered voter signing the form, and other
18 information as determined by the chief election
19 officer; provided that a voter's social security
20 number or any portion thereof and the year portion of
21 the voter's date of birth shall not be required;



- 1 (6) A sworn certification by self-subscribing oath by the
2 candidate that the candidate qualifies under the law
3 for the office the candidate is seeking and that the
4 candidate has determined that, except for the
5 information provided by the registered voters signing
6 the nomination papers, all of the information on the
7 nomination papers is true and correct;
- 8 (7) A sworn certification by self-subscribing oath by a
9 party candidate that the candidate is a member of the
10 party;
- 11 (8) For candidates seeking elective county office, a sworn
12 certification by self-subscribing oath by the
13 candidate that the candidate has complied with the
14 relevant provisions of the applicable county charter
15 and county ordinances pertaining to elected officials;
- 16 (9) A sworn certification by self-subscribing oath, where
17 applicable, by the candidate that the candidate has
18 complied with the provisions of article II, section 7,
19 of the Hawaii State Constitution;
- 20 (10) A sworn certification by self-subscribing oath by the
21 candidate that the candidate is in compliance with



1 section 831-2, dealing with felons, and is eligible to
2 run for office; and

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

5 (b) Signatures of registered voters shall not be counted,
6 unless they are upon the nomination paper having the format set
7 forth above, written or printed thereon, and if there are
8 separate sheets to be attached to the nomination paper, the
9 sheets shall have the name of the candidate, the candidate's
10 party affiliation or nonpartisanship, and the office and
11 district for which the candidate is running placed thereon by
12 the chief election officer or the clerk. The nomination paper
13 and separate sheets shall be provided by the chief election
14 officer or the clerk.

15 (c) Nomination papers shall not be filed in behalf of any
16 person for more than one party or for more than one office; nor
17 shall any person file nomination papers both as a party
18 candidate and as a nonpartisan candidate.

19 (d) The office and district for which the candidate is
20 running, the candidate's name, and the candidate's party
21 affiliation or nonpartisanship may not be changed from that



1 indicated on the nomination paper and separate sheets. If the
2 candidate wishes to run for an office or district different from
3 that for which the nomination paper states or under a different
4 party affiliation or nonpartisanship, the candidate may request
5 the appropriate nomination paper from the chief election officer
6 or clerk and have it signed by the required number of registered
7 voters.

8 (e) Nomination papers that contain alterations or changes
9 made by anyone other than the chief election officer or the
10 clerk to the candidate's information, the candidate's party
11 affiliation or nonpartisanship, the office to which the
12 candidate seeks nomination, or the oath of loyalty or
13 affirmation, after the nomination paper was issued by the chief
14 election officer or clerk, shall be void and will not be
15 accepted for filing by the chief election officer or clerk.

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

19 (g) Notwithstanding any other law to the contrary, when a
20 candidate is required to include a residence address on a
21 nomination paper pursuant to subsection (a) (3):



- 1 (1) The residence address shall be included on the
2 nomination paper for purposes of circulating,
3 collecting, verifying, and validating signatures;
- 4 (2) Any nomination paper that is posted online or
5 otherwise made available for general public inspection
6 by an election official shall have the residence
7 address redacted;
- 8 (3) An unredacted copy of the nomination paper shall be
9 retained by the appropriate election official and
10 shall be made available upon lawful request, including
11 for purposes of a nomination paper challenge, election
12 contest, or appeal; and
- 13 (4) Nothing in this subsection shall be construed to limit
14 access by election officials, courts, or the
15 legislature to an unredacted nomination paper when
16 necessary to administer elections or determine
17 compliance with constitutional or statutory
18 requirements."

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



1 SECTION 7. This Act shall take effect on July 1, 3000;
2 provided that the amendments made to section 12-3, Hawaii
3 Revised Statutes, by section 5 of this Act shall not be repealed
4 when amendments to that section take effect on January 1, 2028,
5 pursuant to section 5 of Act 194, Session Laws of Hawaii 2025.



Report Title:

Legislators; Personal Information; Confidential; Voter
Registration; Nomination Papers

Description:

Prohibits the public disclosure of legislators' personal contact
information in a voter's affidavit of registration, nomination
papers, and electronic database for campaign committees.
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.*

