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# HOUSE CONCURRENT RESOLUTION

REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A  
COMPREHENSIVE STUDY ON THE FEASIBILITY AND IMPLICATIONS OF  
ELECTING THE STATE'S ATTORNEY GENERAL.

1           WHEREAS, the Attorney General serves as the chief legal  
2 officer of the State of Hawaii and plays a critical role in  
3 enforcing the law, advising state agencies, and protecting the  
4 public interest; and

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6           WHEREAS, pursuant to Article V, section 6 of the  
7 Constitution of the State of Hawaii, the Attorney General is  
8 nominated and, by and with the advice and consent of the Senate,  
9 appointed by the Governor; and

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11           WHEREAS, the method of selecting any state's chief legal  
12 officer can significantly affect the independence and  
13 accountability of, and public confidence in, that office; and

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15           WHEREAS, in a majority of states, the attorney general is  
16 elected by the voters, and is therefore directly accountable to  
17 the public; and

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19           WHEREAS, recent public discussions have raised concerns  
20 about independence, transparency, and the potential for real or  
21 perceived conflicts of interest when the Attorney General is  
22 appointed by the Governor and may be removed by the Governor,  
23 subject to the advice and consent of the Senate; and

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25           WHEREAS, any proposal to change the method of selecting the  
26 Attorney General in the State of Hawaii would require the  
27 careful consideration of constitutional, legal, fiscal, and  
28 policy issues; now, therefore,

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# H.C.R. NO. 72

1 BE IT RESOLVED by the House of Representatives of the  
2 Thirty-third Legislature of the State of Hawaii, Regular Session  
3 of 2026, the Senate concurring, that the Legislative Reference  
4 Bureau is requested to conduct a comprehensive study on the  
5 feasibility and implications of electing the State's Attorney  
6 General; and

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8 BE IT FURTHER RESOLVED that, in the course of conducting  
9 the study, the Bureau is requested to:

- 10  
11 (1) Determine what constitutional amendments would be  
12 necessary to establish a process for electing the  
13 Attorney General in the State of Hawaii;  
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15 (2) Compare states that elect their attorneys general with  
16 states that appoint them, including a comparison of  
17 the States' governance structures and oversight  
18 mechanisms;  
19  
20 (3) Analyze potential positive and negative impacts  
21 relating to electing the State's Attorney General,  
22 including impacts related to:  
23  
24 (A) The independence of the Attorney General from the  
25 Governor, Lieutenant Governor, and other  
26 officials within the executive branch of  
27 government;  
28  
29 (B) The accountability of the Attorney General to the  
30 public;  
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32 (C) The ability of the Attorney General to coordinate  
33 with state agencies; and  
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35 (D) The ability of the Attorney General to represent  
36 the State;  
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38 (4) Discuss the potential administrative, operational, and  
39 fiscal impacts if the State's Attorney General were to  
40 be elected rather than appointed;  
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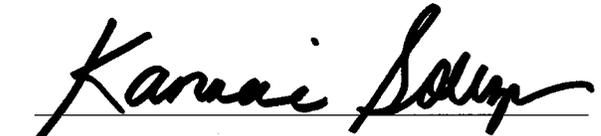
- 1 (5) Review alternative methods of selecting the State's
- 2 Attorney General that could strengthen the
- 3 independence of, and public confidence in, the
- 4 Attorney General, including establishing fixed terms,
- 5 removal protections, and appointment processes that do
- 6 not involve the Governor; and
- 7
- 8 (6) Explore any other relevant issues, as determined by
- 9 the Bureau.

10 BE IT FURTHER RESOLVED that the Legislative Reference  
11 Bureau is requested to submit a report of its findings and  
12 recommendations, including any proposed legislation, to the  
13 Legislature no later than twenty days prior to the convening of  
14 the Regular Session of 2027; and

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16  
17 BE IT FURTHER RESOLVED that certified copies of this  
18 Concurrent Resolution be transmitted to the Governor; Lieutenant  
19 Governor; Attorney General; Chief Election Officer; and Director  
20 of the Legislative Reference Bureau.

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OFFERED BY:

  
MAR 12 2026

