
HOUSE 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

5
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

10
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

14
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

18
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

24
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,

29
30 BE IT RESOLVED by the House of Representatives of the
31 Thirty-third Legislature of the State of Hawaii, Regular Session
32 of 2026, that the Legislative Reference Bureau is requested to



1 conduct a comprehensive study on the feasibility and
2 implications of electing the State's Attorney General; and
3

4 BE IT FURTHER RESOLVED that, in the course of conducting
5 the study, the Bureau is requested to:
6

- 7 (1) Determine what constitutional amendments would be
8 necessary to establish a process for electing the
9 Attorney General in the State of Hawaii;
10
- 11 (2) Compare states that elect their attorneys general with
12 states that appoint them, including a comparison of
13 the States' governance structures and oversight
14 mechanisms;
15
- 16 (3) Analyze potential positive and negative impacts
17 relating to electing the State's Attorney General,
18 including impacts related to:
19
- 20 (A) The independence of the Attorney General from the
21 Governor, Lieutenant Governor, and other
22 officials within the executive branch of
23 government;
24
- 25 (B) The accountability of the Attorney General to the
26 public;
27
- 28 (C) The ability of the Attorney General to coordinate
29 with state agencies; and
30
- 31 (D) The ability of the Attorney General to represent
32 the State;
33
- 34 (4) Discuss the potential administrative, operational, and
35 fiscal impacts if the State's Attorney General were to
36 be elected rather than appointed;
37
- 38 (5) Review alternative methods of selecting the State's
39 Attorney General that could strengthen the
40 independence of, and public confidence in, the
41 Attorney General, including establishing fixed terms,



1 removal protections, and appointment processes that do
2 not involve the Governor; and

3
4 (6) Explore any other relevant issues, as determined by
5 the Bureau.
6

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

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

OFFERED BY:

Karani Soliz

MAR 12 2026

