

JAN 21 2026

A BILL FOR AN ACT

PROPOSING AMENDMENTS TO THE HAWAII STATE CONSTITUTION TO ENABLE
LEGISLATION BY THE PEOPLE.

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

1 SECTION 1. The legislature finds that reserving the powers
2 of initiative and referendum to the people provides a check on
3 legislative power and increases direct public participation in
4 state governance.

5 Accordingly, the purpose of this Act is to amend the Hawaii
6 State Constitution to provide for initiative and referendum.

7 SECTION 2. Article II of the Constitution of the State of
8 Hawaii is amended by adding a new section to be appropriately
9 designated and to read as follows:

10 **"INITIATIVE AND REFERENDUM**

11 Section . Voters shall have the power, as provided by
12 law, to propose statutory amendments and constitutional
13 amendments through the initiative process, and to give final
14 approval to a bill through a referendum process if the bill has
15 passed the legislature. The initiative and referendum power
16 shall not extend to any statute authorizing or repealing the



1 levy of taxes, the appropriation of money, the issuance of
2 bonds, the salaries of state employees or officers or any matter
3 governed by collective bargaining contracts.

4 The legislature may enact laws to facilitate the initiative
5 and referendum processes; provided that the laws do not unduly
6 burden the public's right to petition."

7 SECTION 3. Article III, section 1, of the Constitution of
8 the State of Hawaii is amended to read as follows:

9 **"LEGISLATIVE POWER**

10 **Section 1.** [The] Except for initiative and referendum, the
11 legislative power of the State shall be vested in a legislature,
12 which shall consist of two houses, a senate and a house of
13 representatives. Such power shall extend to all rightful
14 subjects of legislation not inconsistent with this constitution
15 or the Constitution of the United States."

16 SECTION 4. Article III, section 14, of the Constitution of
17 the State of Hawaii is amended to read as follows:

18 **"BILLS; ENACTMENT**

19 **Section 14.** No law shall be passed except by bill [–]
20 enacted by the legislature or by initiative or referendum. Each
21 law shall embrace but one subject, which shall be expressed in



1 its title. The enacting clause of each law shall be, "Be it
2 enacted by the legislature of the State of Hawaii. ""

3 SECTION 5. Article III, section 16, of the Constitution of
4 the State of Hawaii is amended to read as follows:

5 **"APPROVAL OR VETO**

6 **Section 16.** Every bill which shall have passed the
7 legislature shall be certified by the presiding officers and
8 clerks of both houses and shall thereupon be presented to the
9 governor. If the governor approves it, the governor shall sign
10 it and it shall become law. If the governor does not approve
11 such bill, the governor may return it, with the governor's
12 objections to the legislature. Except for items appropriated to
13 be expended by the judicial and legislative branches, the
14 governor may veto any specific item or items in any bill which
15 appropriates money for specific purposes by striking out or
16 reducing the same; but the governor shall veto other bills, if
17 at all, only as a whole.

18 No bill enacted by initiative or referendum shall be
19 subject to veto by the governor.

20 The governor shall have ten days to consider bills
21 presented to the governor ten or more days before the



1 adjournment of the legislature sine die, and if any such bill is
2 neither signed nor returned by the governor within that time, it
3 shall become law in like manner as if the governor had signed
4 it.

5 **RECONSIDERATION AFTER ADJOURNMENT**

6 The governor shall have forty-five days, after the
7 adjournment of the legislature sine die, to consider bills
8 presented to the governor less than ten days before such
9 adjournment, or presented after adjournment, and any such bill
10 shall become law on the forty-fifth day unless the governor by
11 proclamation shall have given ten days' notice to the
12 legislature that the governor plans to return such bill with the
13 governor's objections on that day. The legislature may convene
14 at or before noon on the forty-fifth day in special session,
15 without call, for the sole purpose of acting upon any such bill
16 returned by the governor. In case the legislature shall fail to
17 so convene, such bill shall not become law. Any such bill may
18 be amended to meet the governor's objections and, if so amended
19 and passed, only one reading being required in each house for
20 such passage, it shall be presented again to the governor, but



1 shall become law only if the governor shall sign it within ten
2 days after presentation.

3 In computing the number of days designated in this section,
4 the following days shall be excluded: Saturdays, Sundays,
5 holidays and any days in which the legislature is in recess
6 prior to its adjournment as provided in section 10 of this
7 article."

8 SECTION 6. Article XVII, section 1, of the Constitution of
9 the State of Hawaii is amended to read as follows:

10 **"METHODS OF PROPOSAL**

11 **Section 1.** Revisions of or amendments to this constitution
12 may be proposed by constitutional convention [or], by the
13 legislature[or] or through initiative or referendum."

14 SECTION 7. Article XVII, section 4, of the Constitution of
15 the State of Hawaii is amended to read as follows:

16 **"VETO**

17 **Section 4.** No proposal for amendment of the constitution
18 adopted in either manner provided by this article or by
19 initiative or referendum shall be subject to veto by the
20 governor."



1 SECTION 8. Article XVII, section 5, of the Constitution of
2 the State of Hawaii is amended to read as follows:

3 **"CONFLICTING REVISIONS OR AMENDMENTS**

4 **Section 5.** If a revision or amendment proposed by a
5 constitutional convention is in conflict with a revision or
6 amendment proposed by the legislature and both are submitted to
7 the electorate at the same election and both are approved, then
8 the revision or amendment proposed by the convention shall
9 prevail. If a revision or amendment proposed by the legislature
10 is in conflict with the revision or amendment proposed by the
11 people by initiative or referendum and both are approved, then
12 the initiative or referendum shall prevail. If conflicting
13 revisions or amendments are proposed by the same body and are
14 submitted to the electorate at the same election and both are
15 approved, then the revision or amendment receiving the highest
16 number of votes shall prevail."

17 SECTION 9. The question to be printed on the ballot shall
18 be as follows:

19 "Shall the Hawaii State Constitution be amended to reserve
20 to the voters the powers of initiative and referendum,
21 which would allow a law to be proposed for enactment or a



1 law passed by the legislature to be suspended and submitted
2 for a statewide vote upon the petition of a designated
3 number of registered voters?"

4 SECTION 10. Constitutional material to be repealed is
5 bracketed and stricken. New constitutional material is
6 underscored.

7 SECTION 11. This amendment shall take effect upon
8 compliance with article XVII, section 3, of the Constitution of
9 the State of Hawaii.

10

INTRODUCED BY: 



S.B. NO. 2265

Report Title:

Constitutional Amendment; Initiative; Referendum

Description:

Proposes a constitutional amendment to provide for initiative and referendum.

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

