

STAND. COM. REP. NO. 2806

Honolulu, Hawaii

**MAR - 5 2026**

RE: S.B. No. 2143  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-Third State Legislature  
Regular Session of 2026  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 2143 entitled:

"A BILL FOR AN ACT RELATING TO THE CHIEF ELECTION OFFICER,"

begs leave to report as follows:

The purpose and intent of this measure is to provide that, in the event of a vacancy in the position of Chief Election Officer, the Attorney General shall serve as the Interim Chief Election Officer until the Elections Commission appoints a new Chief Election Officer.

Your Committee received testimony in support of this measure from the Hawai'i State LGBTQ+ Commission, Democratic Party of Hawai'i, Pride at Work Hawai'i, League of Women Voters of Hawaii, Indivisible Hawai'i, Hawai'i Alliance for Progressive Action, HOKU PAC, Green Party of Hawai'i, Hawaii State AFL-CIO, and eighty-seven individuals.

Your Committee received testimony in opposition to this measure from the Department of the Attorney General, Hawaiian Islands Republican Women, and thirteen individuals.

Your Committee finds that election integrity is being challenged nationwide. To protect the integrity of the State's electoral process, it is necessary to ensure that there are no gaps in leadership or uncertainty in authority. However, existing



law does not provide a designated successor to the Chief Election Officer in the event of a vacancy in that position. This measure will establish a clear chain of authority to ensure that the State's democratic processes will continue without disruption in the event of an unexpected vacancy in the Chief Election Officer position.

Your Committee notes the concern raised by the Department of the Attorney General that requiring the Attorney General to serve as the Interim Chief Election Officer would create substantial conflict-of-interest risks that could become the basis for election-related challenges because the Chief Election Officer administers elections and makes discretionary decisions that can become contested in administrative proceedings or litigation. Therefore, amendments to this measure are necessary to address this concern.

Your Committee has amended this measure by:

- (1) Deleting language that would have required the Attorney General, in the event of a vacancy in the Chief Election Officer position, to serve in the position of Interim Chief Election Officer until the Elections Commission appoints a new Chief Election Officer; and
- (2) Inserting language to establish an order of succession for certain positions within the Office of Elections to serve as the Interim Chief Election Officer until the Elections Commission appoints a new Chief Election Officer.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2143, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2143, S.D. 1, and be placed on the calendar for Third Reading.



Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary,

*Karl Rhoads*

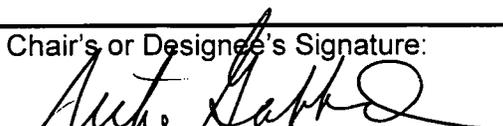
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KARL RHOADS, Chair



The Senate  
Thirty-Third Legislature  
State of Hawai'i

Record of Votes  
Committee on Judiciary  
JDC

Bill / Resolution No.:* <b>SB 2143</b>	Committee Referral: <b>JDC</b>	Date: <b>2/18/26</b>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	✓			
GABBARD, Mike (VC)	✓			
CHANG, Stanley	✓			
SAN BUENAVENTURA, Joy A.			✓	✓
AWA, Brenton			✓	
<b>TOTAL</b>	<b>3</b>	<b>—</b>	<b>1</b>	<b>1</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution:             Original     Yellow     Pink File with Committee Report     Committee     Drafting Agency				

\*Only one measure per Record of Votes