

ACT 323

S.B. NO. 303

A Bill for an Act Relating to Political Parties.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 11-61, Hawaii Revised Statutes, is amended to read as follows:

“§11-61 “Political party” defined. (a) The term “political party” [shall mean] means any party which [was on the ballot at the last general election which] has qualified as a political party under sections 11-62 and 11-64 and has not been disqualified by this section [and any political group which shall hereafter undertake to form a political party in the manner provided for in sections 11-62 to 11-64]. A political party shall be an association of voters united for the purpose of promoting a common political end or carrying out a particular line of political policy and which maintains a general organization throughout the State, including a regularly constituted central committee and county committees in each county other than Kalawao.

(b) Any party which does not meet the following requirements or the requirements set forth in sections 11-62 to 11-63, shall be subject to disqualification:

- (1) A party must have had candidates running for election at the last general election for any of the offices listed in paragraphs (2) to (5) whose terms had expired. This does not include those offices which were vacant because the incumbent had died or resigned before the end of the incumbent's term;
- (2) The party received at least ten per cent of all votes cast for any of the offices voted upon by all the voters in the State;
- (3) The party received at least ten per cent of all the votes cast in at least fifty per cent of the congressional districts;
- (4) The party received at least ten per cent of all the votes cast in at least the six senatorial [disticts] districts with the lowest votes cast for the office of state senator; or
- (5) The party received at least ten per cent of all the votes cast in at least fifty per cent of the representative districts for the office of state representative."

SECTION 2. Section 11-62, Hawaii Revised Statutes, is amended to read as follows:

"§11-62 [Formation] Qualification of [new] political parties; petition. (a) Any group of persons hereafter desiring to [form a new] qualify as a political party for election ballot purposes in the State shall file with the chief election officer a petition as hereinafter provided. The petition for [the formation of a new] qualification as a political party shall:

- (1) Be filed not later than 4:30 p.m. on the one hundred fiftieth day prior to the next primary;
- (2) Declare as concisely as may be the intention of signers thereof to [form such new] qualify as a statewide political party in the State and state the name of the new party;
- (3) Contain the signatures of currently registered voters comprising not less than one per cent of the total registered voters of the State as of the last preceding general election;
- (4) Be accompanied by the names and addresses of the officers of the central committee and of the respective county [committee, where they exist,] committees of the [new] political party and by the party rules; and
- (5) Be upon the form prescribed and provided by the chief election officer.

(b) The petition shall be subject to hearing under chapter 91, if any objections are raised by the chief election officer or any other political party. All objections shall be made not later than 4:30 p.m. on the tenth day after the petition has been filed. If no objections are raised by 4:30 p.m. on the tenth day, the petition shall be approved. If an objection is raised, a decision shall be rendered not later than 4:30 p.m. on the thirtieth day after filing of the petition or not later than 4:30 p.m. on the one hundredth day prior to the primary, whichever shall first occur.

(c) The chief election officer may check the names of any persons on the petition to see that they are registered voters and may check the validity of their signatures. The petition shall be public information upon filing.

(d) Each group of persons desiring to qualify as a political party shall qualify under this section for three general elections, after which the group shall be deemed a political party for the following ten-year period, provided that each party qualified under this section shall continue to field candidates for public office during the ten year period following qualification. After each ten-year

period, the party qualified under this section shall either remain qualified under the standards set forth in section 11-61, or requalify under this section 11-62.

SECTION 3. Section 11-63, Hawaii Revised Statutes, is amended to read as follows:

“§11-63 Party rules, amendments to be filed. All [existing] parties must file their rules with the chief election officer not later than 4:30 p.m. on the one hundred fiftieth day prior to the next primary. All amendments shall be filed with the chief election officer not later than 4:30 p.m. on the thirtieth day after their adoption. The rules and amendments shall be duly certified to by an authorized officer of the party and upon filing, the rules and amendments thereto shall be a public record.”

SECTION 4. Statutory material to be repealed is bracketed. New statutory material is underscored.

SECTION 5. This Act shall take effect upon its approval.

(Approved June 9, 1986.)