

ACT 194

H.B. NO. 134

A Bill for an Act Relating to Elections.

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

SECTION 1. Section 12-3, Hawaii Revised Statutes, is amended to read as follows:

“§12-3 Nomination paper; format; limitations. (a) No candidate’s name shall be printed upon any official ballot to be used at any primary, special primary, or special election unless a nomination paper was filed on the candidate’s behalf and in the name by which the candidate is commonly known. The nomination paper shall be in a form prescribed and provided by the chief election officer containing substantially the following information:

- (1) A statement by the registered voters signing the form that they are eligible to vote for the candidate;
- (2) A statement by the registered voters signing the form that they nominate the candidate for the office identified on the nomination paper issued to the candidate;
- (3) The residence address and county in which the candidate resides;
- (4) The legal name of the candidate, the name by which the candidate is commonly known, if different, the office for which the candidate is running, and the candidate’s party affiliation or nonpartisanship; all of which are to be placed on the nomination paper by the chief election officer or the clerk ~~[prior to]~~ before releasing the form to the candidate;
- (5) Space for the name, signature, month and date portions of the date of birth, and residence address of each registered voter signing the form, and other information as determined by the chief election officer; provided that a voter’s social security number or any portion thereof and the year portion of the voter’s date of birth shall not be required;
- (6) A sworn certification by self-subscribing oath by the candidate that the candidate qualifies under the law for the office the candidate is seeking and that the candidate has determined that, except for the information provided by the registered voters signing the nomination papers, all of the information on the nomination papers is true and correct;
- (7) A sworn certification by self-subscribing oath by a party candidate that the candidate is a member of the party;

- (8) For candidates seeking elective county office, a sworn certification by self-subscribing oath by the candidate that the candidate has complied with the relevant provisions of the applicable county charter and county ordinances pertaining to elected officials;
- (9) A sworn certification by self-subscribing oath, where applicable, by the candidate that the candidate has complied with the provisions of article II, section 7, of the Hawaii State Constitution;
- (10) A sworn certification by self-subscribing oath by the candidate that the candidate is in compliance with section 831-2, dealing with felons, and is eligible to run for office; and
- (11) The name the candidate wishes to be printed on the ballot and the mailing address of the candidate.

(b) Signatures of registered voters shall not be counted, unless they are upon the nomination paper having the format set forth above, written or printed thereon, and if there are separate sheets to be attached to the nomination paper, the sheets shall have the name of the candidate, the candidate's party affiliation or nonpartisanship, and the office and district for which the candidate is running placed thereon by the chief election officer or the clerk. The nomination paper and separate sheets shall be provided by the chief election officer or the clerk.

(c) Nomination papers shall not be filed ~~[in]~~ on behalf of any person for more than one party or for more than one office; nor shall any person file nomination papers both as a party candidate and as a nonpartisan candidate.

(d) The office and district for which the candidate is running, the candidate's name, and the candidate's party affiliation or nonpartisanship ~~[may]~~ shall not be changed from that indicated on the nomination paper and separate sheets. If the candidate wishes to run for an office or district different from that for which the nomination paper states or under a different party affiliation or nonpartisanship, the candidate may request the appropriate nomination paper from the chief election officer or clerk and have it signed by the required number of registered voters.

(e) Nomination papers that contain alterations or changes made by anyone other than the chief election officer or the clerk to the candidate's information, the candidate's party affiliation or nonpartisanship, the office to which the candidate seeks nomination, or the oath of loyalty or affirmation, after the nomination paper was issued by the chief election officer or clerk, shall be void and ~~[will]~~ shall not be accepted for filing by the chief election officer or clerk.

(f) Nomination papers that are incomplete and do not contain all of the certifications, signatures, and requirements of this section shall be void.

(g) The chief election officer shall provide a system for the electronic filing of nomination papers, including the submission of the notarized written oath or affirmation and any other required documentation and the deposit of the filing fee. No additional fee shall be charged to the filer for using the electronic filing system."

SECTION 2. Section 12-6, Hawaii Revised Statutes, is amended by amending its title and subsection (a) to read as follows:

"§12-6 Nomination ~~[papers:] papers; time for filing; manner of filing; fees.~~ (a) For members of Congress, state offices, county offices, and the board of trustees for the office of Hawaiian affairs, nomination papers shall be filed with the chief election officer, or clerk in case of county offices, ~~[not] no~~ later than 4:30 p.m. on the first Tuesday in June~~[-However,]; provided that~~ in the event of a special primary or special election, the filing deadline shall be determined in the proclamation that ~~[is issued calling]~~ calls for the election as provided for by state law or county charter. A state candidate from the counties of Hawaii, Maui, and

Kauai may file the declaration of candidacy with the respective clerk. The clerk shall transmit to the office of the chief election officer the state candidate's declaration of candidacy without delay. Nomination papers may be filed electronically with the chief election officer, or clerk in the case of a county office, using an electronic filing system operated and maintained by the office of elections; provided that no additional fee shall be charged to the filer for submitting nomination papers electronically."

SECTION 3. There is appropriated out of the general revenues of the State of Hawaii the sum of \$150,000 or so much thereof as may be necessary for fiscal year 2025-2026 and the same sum or so much thereof as may be necessary for fiscal year 2026-2027 for the chief election officer to provide a system for the electronic filing of nomination papers, including the submission of the notarized written oath or affirmation and any other required documentation and the deposit of the filing fee; provided that the chief election officer shall make the electronic filing system available to the county clerks for the electronic filing of nomination papers for election to county offices.

The sums appropriated shall be expended by the office of elections for the purposes of this Act.

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

SECTION 5. This Act shall take effect on January 1, 2028; provided that section 3 shall take effect on July 1, 2025.

(Approved June 6, 2025.)