

2024 PROPOSED AMENDMENTS TO THE HAWAII STATE CONSTITUTION

QUESTION #1: Removal of Specific Language Concerning the Authority of the Legislature to Reserve Marriage to Opposite-Sex Couples

EXPLANATION: Shall the state constitution be amended to repeal the legislature's authority to reserve marriage to opposite-sex couples?

For the full text of the proposed amendment, visit: [HB2802 HD1](#).

QUESTION #2: Making the Senate Confirmation Process for Judicial Appointments More Uniform

EXPLANATION: Shall the Constitution of the State of Hawaii be amended to make the appointment and confirmation process for district court judges the same as the appointment and confirmation process for supreme court justices and intermediate court of appeals and circuit court judges, which would require:

- (1) The Judicial Selection Commission to present the Chief Justice with a list of not less than four and not more than six nominees for a vacancy;
- (2) A district court appointee to be automatically considered appointed if the Senate fails to reject the appointment within thirty days of receiving the appointment notice;
- (3) The Chief Justice to make another appointment from the list of district court nominees within ten days if the Senate rejects an appointment; and
- (4) The appointment and consent procedure to be followed until a valid appointment is made, or failing this, the Judicial Selection Commission to make the appointment from the list of nominees, without Senate consent?

For the full text of the proposed amendment, visit: [SB2927 SD1 HD1 CD1](#).

HOW A PROPOSED AMENDMENT IS APPROVED

The question is approved if both qualifications are met:

- Test 1: Yes votes receive a majority of votes tallied, excluding blank and over votes
- Test 2: Yes votes receive at least fifty percent of the total votes cast, including blank and over votes

Example

Sample Question

Votes Received

Yes	195,909
No	122,454
Blank	30,181
Over	207
Total votes tallied	318,363
Total votes cast	348,751

Test 1 Calculation:

$195,909 \text{ yes} / 318,363 \text{ tallied} = 0.615 \text{ or } 61.5\%$

61.5% is greater than 50%, therefore the yes votes received majority of votes tallied and passes test 1.

Test 2 Calculation:

$195,909 \text{ yes} / 348,751 \text{ cast} = 0.562 \text{ or } 56.2\%$

56.2% is greater than 50%, therefore the yes votes received more than 50% of the votes cast and passes test 2.

Outcome:

The question passed test 1 and test 2 therefore the proposed amendment is approved.

For complete information, please refer to Hawaii State Constitution Article XVII.