

Honolulu, Hawaii

, 2024

FEB 07

RE: H.B. No. 1786

H.D. 1

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirty-Second State Legislature  
Regular Session of 2024  
State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred H.B. No. 1786 entitled:

"A BILL FOR AN ACT RELATING TO ELECTIONS,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Prohibit intimidating, threatening, harassing, or assaulting clerks, election officials, and election workers in the performance of their official duties;
- (2) Prohibit the sharing of personal information of clerks, election officials, and election workers with the intent to intimidate, threaten, harass, or abuse them in connection with the performance of their official duties; and
- (3) Appropriate funds to enable the Office of Elections to remove personal identifying information of clerks, election officials, and election workers from the Internet.

Your Committee received testimony in support of this measure from the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; Hawaii Young Republicans; and three individuals.



Your Committee received testimony in opposition to this measure from the Office of the Public Defender; Hawai'i Federation of Republican Women; Aloha Freedom Coalition; Children's Health Defense Hawaii Chapter; and numerous individuals. Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that there has been an unprecedented surge in hostility and attacks on election workers in recent years. This measure is intended to deter individuals from harming elections workers, thereby providing a safer environment for workers, volunteers, and the public on election day.

Your Committee has amended this measure by:

- (1) Deleting language that would have made it a misdemeanor to intimidate, threaten, harass, or assault clerks, election officials, and election workers in the performance of their official duties, and instead amending the class C felony offense of assault in the second degree to include intentionally or knowingly causing bodily injury to any clerk, election official, or election worker who is engaged in the performance of duty;
- (2) Deleting language that would have made the prohibition on the sharing of personal information of clerks, election officials, and election workers in addition to any other crime;
- (3) Clarifying the definition of "election worker" to include individuals designated by the clerk to provide election support services;
- (4) Changing the effective date to July 1, 3000, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee respectfully requests your Committee on Finance, should it deliberate on this measure, to ascertain the amount of funding needed for the Office of Elections to remove



personal identifying information of clerks, election officials, and election workers from the Internet.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1786, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1786, H.D. 1, and be referred to your Committee on Finance.

Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary &  
Hawaiian Affairs,

  
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DAVID A. TARNAS, Chair



