

Honolulu, Hawaii

FEB 18 2025RE: S.B. No. 1515
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Third State Legislature
Regular Session of 2025
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 1515 entitled:

"A BILL FOR AN ACT RELATING TO ELECTIONS,"

begs leave to report as follows:

The purpose and intent of this measure is to replace the boards of registration with an on-call circuit judge for purposes of hearing elections disputes.

Your Committee received testimony in support of this measure from the League of Women Voters of Hawaii and one individual.

Your Committee received testimony in opposition to this measure from the Judiciary.

Your Committee finds that the boards of registration were created to provide immediate resolution of voter challenges ruled on by precinct officials. However, since the State transitioned to a vote-by-mail model, the number of incidents requiring immediate resolution have significantly declined. Your Committee further finds that nearly every decision rendered by a board of registration has been appealed to the state appellate courts. Your Committee notes, however, that the appellate court may not be able to act in a timely fashion because it requires multiple judges to convene. Your Committee believes that it would be more prudent for an on-call circuit judge to hear elections disputes,



particularly in cases where the board of registration does not have its full membership. This measure will provide for an expeditious and fair hearing process for election complaints.

Your Committee notes that existing law requires that members to each board of registration be appointed by the Governor and confirmed with the advice and consent of the Senate for the specific purpose of serving on the board for a four-year term. During their four-year terms, board members obtain experience and insight about voter challenges as they hear every disputed issue that may arise in the board's respective county. Your Committee therefore believes that replacing the board of registration is unnecessary, but appreciates the value of having an initial decision-maker available, should a board of registration fail to have full membership for a period of time due to the appointment process.

Accordingly, your Committee has amended this measure by:

- (1) Allowing an on-call circuit judge in the relevant circuit court to perform the duties of the board of registration for purposes of hearing elections disputes if the board of registration lacks full membership;
- (2) Requiring the Judiciary to designate one or more on-call circuit judges in each circuit to perform the duties of the board of registration for purposes of hearing elections disputes if the board of registration lacks full membership;
- (3) Deleting language that would have repealed the boards of registration;
- (4) Making conforming amendments;
- (5) Amending section 1 to reflect its amended purpose; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

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. 1515, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1515, 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, Chair



The Senate
 Thirty-Third Legislature
 State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:* SB 1515	Committee Referral: JDC	Date: 2/6/25
---	-----------------------------------	------------------------

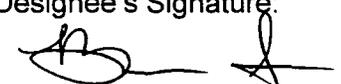
The Committee is reconsidering its previous decision on this measure.
 If so, then the previous decision was to: _____

The Recommendation is:

Pass, unamended 2312
 Pass, with amendments 2311
 Hold 2310
 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	X			
GABBARD, Mike (VC)				X
CHANG, Stanley				X
SAN BUENAVENTURA, Joy A.	X			
AWA, Brenton			X	
TOTAL	2		1	2

Recommendation:
 Adopted
 Not Adopted

Chair's or Designee's Signature:


Distribution:
 Original Yellow Pink Goldenrod
 File with Committee Report Clerk's Office Drafting Agency Committee File Copy

***Only one measure per Record of Votes**