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# A BILL FOR AN ACT

RELATING TO PERMANENT ABSENTEE STATUS.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1 SECTION 1. The legislature finds that absentee voting  
2 continues to be convenience desired by many Hawaii voters. The  
3 legislature also finds that in 2004 and 2006 in the city and  
4 county of Honolulu, sixty per cent of absentee mail voters were  
5 repeat absentee mail voters. The legislature also finds that in  
6 the State of California, roughly fifteen per cent of all  
7 registered voters opt for permanent absentee voter status.

8 The purpose of this Act is to authorize a permanent  
9 absentee voter list for Hawaii voters.

10 SECTION 2. Chapter 15, Hawaii Revised Statutes, is amended  
11 by adding four new sections to be appropriately designated and  
12 to read as follows:

13 "§15- Application for permanent absentee voter status;  
14 application in person or by notarized mail request. (a) Any  
15 registered voter may apply for permanent absentee voter status  
16 by (presenting oneself to the clerk) and submitting an  
17 application to the clerk pursuant to this section, or by  
18 submitting a notarized application if application is by mail.



1 If a registered voter is granted permanent absentee voter status  
2 pursuant to this section, the voter shall not be required to  
3 submit a separate request for each election, but shall receive  
4 an absentee ballot for each election in which the voter is  
5 eligible to vote.

6 (b) The application for permanent absentee voter status  
7 shall include voter information required in section 15-4. The  
8 application shall contain an attestation by the applicant that  
9 the applicant desires to vote by absentee mail ballot only.

10 (c) A permanent absentee voter shall be responsible for  
11 reapplying to update any changes that occur to personal  
12 information, including changes to the voter's forwarding  
13 address.

14 **§15- Permanent absentee voters prohibited from voting at**  
15 **the polls.** A voter who has been granted permanent absentee  
16 voter status pursuant to this section shall be permitted to vote  
17 at the polling place for any reason. Permanent absentee voters  
18 shall be responsible for requesting a replacement ballot prior  
19 to election day if the requested absentee ballot is spoiled or  
20 not received.



1            §15-      Termination of permanent absentee voter status.

2    (a) A voter's permanent absentee voter status shall be  
3 terminated if any of the following conditions apply:

4            (1) The voter requests in writing that such status be  
5 terminated;

6            (2) The voter dies, loses voting rights, registers to vote  
7 in another jurisdiction, or is otherwise disqualified  
8 from voting;

9            (3) The voter's absentee ballot, voter notification  
10 postcard, or any other election mail is returned to  
11 the clerk as undeliverable for any reason; or

12           (4) The voter does not return a voter ballot by 6:00 p.m.  
13 election day in both the primary and general election  
14 of an election year.

15           (b) If a voter's permanent absentee voter status has been  
16 terminated, the voter shall be responsible for reapplying for  
17 permanent absentee status. A voter whose permanent absentee  
18 privileges have been terminated shall be responsible for meeting  
19 all applicable deadlines for requesting an absentee ballot as  
20 provided in this chapter.

21           §15-      Return of voted mail ballots. Any absentee ballot  
22 in the custody of the clerk, other than those that have been



1 returned as spoiled or voluntarily surrendered, shall be  
2 considered cast and may not recast for any reason."

3 SECTION 2. The chief election officer shall adopt rules  
4 pursuant to chapter 91 to implement permanent absentee voting.

5 SECTION 3. There is appropriated out of the general  
6 revenues of the State of Hawaii the sum of \$50,000, or so much  
7 thereof as may be necessary for fiscal year 2007-2008, and the  
8 same sum, or so much thereof as may be necessary for fiscal year  
9 2008-2009, to implement permanent absentee voting.

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

12 SECTION 4. New statutory material is underscored.

13 SECTION 5. This Act shall take effect on January 1, 2008;  
14 provided that section 3 shall take effect on July 1, 2007;  
15 provided further that the appropriation provided in section 3 is  
16 released on or before January 1, 2008.

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INTRODUCED BY: Calvin K. Iy  
BY REQUEST:

JAN 22 2007



**Report Title:**

Permanent Absentee Voter List

**Description:**

Authorizes a permanent absentee voter list for Hawaii voters.

