
A BILL FOR AN ACT

RELATING TO ELECTIONS.

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

1 SECTION 1. Chapter 15, Hawaii Revised Statutes, is amended
2 by adding a new section to be appropriately designated and to
3 read as follows:

4 "§15- Permanent absentee voting. (a) Any registered
5 voter may apply for status as a permanent absentee voter by
6 submitting to the clerk, in person, an application in the form
7 of an affidavit that shall include the personal information
8 required in section 15-4. If a registered voter is granted
9 permanent absentee voter status, the voter shall not be required
10 to submit a separate request for each election and shall receive
11 an absentee ballot for each election in which the voter is
12 eligible to vote.

13 (b) A voter who has been granted permanent absentee voter
14 status shall not be permitted to vote in any manner other than
15 by absentee mail ballot and shall not be allowed to vote at the
16 polls for any reason. Voters granted permanent absentee status
17 shall be responsible for requesting a replacement ballot before



1 election day in the event that a ballot is spoiled or not
2 received.

3 (c) A voter's status as a permanent absentee voter shall
4 be immediately terminated if any of the following conditions
5 apply:

6 (1) The voter requests in writing that the status be
7 terminated;

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

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

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

17 If a voter's permanent absentee voter status is terminated,
18 the voter shall be responsible for reapplying for the privilege
19 and shall be responsible for meeting all applicable deadlines
20 for absentee voting as provided in this chapter.



1 (d) Any voted absentee ballot in the custody of the clerk,
2 other than those that have been returned as spoiled, shall be
3 considered cast and may not be recast for any reason.

4 (e) The chief election officer shall adopt rules pursuant
5 to chapter 91 to effectuate this section."

6 SECTION 2. Chapter 338, Hawaii Revised Statutes, is
7 amended by adding a new section to be appropriately designated
8 and to read as follows:

9 **"§338- Death certificate compilation; removal of**
10 **deceased as registered voter. No later than November 10 each**
11 **year, the director shall compile a list of all residents**
12 **eighteen years or older for whom a death certificate has been**
13 **issued in the preceding twelve months. The list shall include**
14 **the name, date of birth, and last known residence of each**
15 **deceased. Within ten days of compilation, the list shall be**
16 **submitted to the county clerk of the respective counties to be**
17 **used to identify and remove the name of any registered voter**
18 **from the general county register under section 11-17."**

19 SECTION 3. Section 11-2, Hawaii Revised Statutes, is
20 amended by amending subsection (d) to read as follows:

21 "(d) The chief election officer shall be responsible for
22 public education with respect to voter registration and



1 information[-] and shall publish a voter's election guide that
2 shall be mailed to all registered voters no less than fourteen
3 days before any primary or general election."

4 SECTION 4. Section 11-16, Hawaii Revised Statutes, is
5 amended by amending subsection (a) to read as follows:

6 "(a) Any qualified person unable for any cause to be
7 present [~~oneself~~] in person before the clerk for registration
8 may register to vote by mail, not later than thirty days prior
9 to a primary or general election, through the affidavit on
10 application for voter registration or other form prescribed by
11 the chief election officer. The form shall include a self-
12 subscribing oath for the applicant to swear to the truth of the
13 allegations in the application[-] and shall not require postage
14 if an applicant submits the form to the clerk by the United
15 States Postal Service. An applicant unable to write for reason
16 of illiteracy, blindness, or other physical disability shall
17 have the applicant's mark witnessed by a person who shall sign
18 the affidavit in the space provided. Application forms shall be
19 made available to any qualified person through community groups,
20 political parties, and other groups prescribed by the chief
21 election officer. Application forms shall be made available to



1 any qualified person at the time of that person's driver's
2 license application or renewal through the examiner of drivers."

3 SECTION 5. Section 11-76, Hawaii Revised Statutes, is
4 amended by amending subsection (a) to read as follows:

5 "(a) Electronic ballot and voting machine elections.
6 Precinct officials and related election day nonprofit groups or
7 employees shall be compensated pursuant to a schedule
8 established by the chief election officer. The schedule shall
9 be contained in rules adopted pursuant to chapter 91. The chief
10 election officer shall review the compensation schedule no later
11 than June 30 each year and shall make revisions as necessary to
12 reflect cost of living increases."

13 SECTION 6. Section 11-77, Hawaii Revised Statutes is
14 amended by amending (a) as follows:

15 "(a) Each qualified political party shall be entitled to
16 appoint no more than one watcher in each precinct and absentee
17 polling place in which the candidates of such party are on the
18 ballot. Each party shall submit its list of watchers not later
19 than 4:30 p.m., on the tenth day prior to any election to the
20 chief election officer or the clerk in county elections. All
21 watchers shall serve without expense to the State or county.
22 All watchers so appointed shall be registered voters. No person



1 shall serve as a watcher unless that person has received
2 instruction and has been certified by the authorized instructor
3 to that affect. No person shall serve as a watcher who could
4 not qualify to serve as a precinct official under section 11-
5 72(3)."

6 SECTION 7. Section 11-131, Hawaii Revised Statutes, is
7 amended to read as follows:

8 "**§11-131 Hours of voting.** The polls shall be opened by
9 the precinct officials at 7:00 a.m. of the election day and
10 shall be kept open continuously until 6:00 p.m. of that day~~[-]~~;
11 provided that hours of voting in absentee polling places shall
12 be as provided in section 15-7. If, at the closing hour of
13 voting, any voter desiring to vote is standing in line outside
14 the entrance of the polls with the desire of entering and
15 voting, but due to the polling place being overcrowded has been
16 unable to do so, the voter shall be allowed to vote irrespective
17 of the closing hour of voting. No voter shall be permitted to
18 enter or join the line after the prescribed hour for closing the
19 polls. If all of the registered voters of the precinct have
20 cast their votes prior to the closing time, the polls may be
21 closed earlier, but the votes shall not be counted until after
22 closing time unless allowed by the chief election officer."



1 SECTION 8. Section 15-7, Hawaii Revised Statutes, is
2 amended to read as follows:

3 **"§15-7 Absentee polling place[-]; hours of voting.** (a)

4 Absentee polling places shall be established at the office of
5 the respective clerks[7] and may be established at such other
6 sites as may be designated by the clerk under the provisions
7 prescribed in the rules adopted by the chief election officer.
8 Section 11-21 relating to changes and transfers of registration
9 shall apply to the absentee polling place as though it were the
10 precinct at which a person's name properly appears on the list
11 of registered voters.

12 (b) The absentee polling places shall be open no later
13 than ten working days before election day, and all Saturdays
14 falling within that time period, or as soon thereafter as
15 ballots are available; provided that all absentee polling places
16 shall be open on the same date statewide, as determined by the
17 chief election officer.

18 (c) On each day that absentee polling places are open
19 before election day, the absentee polling places shall be opened
20 at 7:00 a.m. and shall be kept open continuously until 7:00 p.m.
21 of each day. If, at the closing hour of the last day that
22 absentee polling places are open, any absentee voter desiring to



1 vote is standing in line outside the entrance of an absentee
2 polling place with the desire of entering and voting, but due to
3 the absentee polling place being overcrowded has been unable to
4 do so, the absentee voter shall be allowed to vote absentee
5 irrespective of the closing hour of the absentee polling place.
6 No absentee voter shall be permitted to enter or join the line
7 after the prescribed hour for closing the absentee polling
8 places."

9 SECTION 9. Statutory material to be repealed is bracketed
10 and stricken. New statutory material is underscored.

11 SECTION 10. This Act shall take effect upon its approval.

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INTRODUCED BY:

Cindy Evans
Andrew J. Ay
Joseph J.

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Report Title:

Elections; Voter Reform

Description:

Authorizes permanent absentee voting; requires department of health to send list of death certificates to county clerks to remove names from voter registration lists; requires chief election officer to review compensation for election officials annually; mandates training for poll workers; expands voting hours.

