
A BILL FOR AN ACT

RELATING TO ELECTIONS.

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

1 SECTION 1. Section 11-7.5, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "~~{}~~§11-7.5~~{}~~ **Duties of the elections commission.** The
4 duties of the elections commission are to:

5 (1) Hold public hearings;

6 (2) Investigate and hold hearings for receiving evidence
7 of any violations and complaints~~{}~~, including
8 absentee voting violations;

9 ~~(3)~~ Request the attorney general or the appropriate county
10 prosecuting attorney to bring an action to prosecute
11 violations of chapter 15 on behalf of the State,
12 county, or individual;

13 ~~{}~~ (4) Adopt rules pursuant to chapter 91;

14 ~~{}~~ (5) Employ, without regard to chapter 76, a full-time
15 chief election officer, pursuant to section 11-1.6;
16 and

17 ~~{}~~ (6) Advise the chief election officer on matters
18 relating to elections."



1 SECTION 2. Section 15-6, Hawaii Revised Statutes, is
2 amended to read as follows:

3 **"§15-6 Return envelope, ballot envelope; instructions.**

4 The clerk shall provide the absentee voter with the ballots,
5 ballot envelopes, and a return envelope which shall contain a
6 statement to be subscribed to by the voter which affirms [~~the~~
7 ~~fact~~] that [~~the~~]:

8 (1) The voter is the person voting[7];

9 (2) The voter was not within two hundred feet of a
10 telephone; campaign posters, signs, or other campaign
11 material intended to solicit votes for or against a
12 candidate or position on a question; or any candidate
13 on the absentee ballot or a member of the candidate's
14 family or campaign staff; and

15 (3) The voter was alone when voting, except as allowed
16 pursuant to section 11-132.

17 The statement shall include the instruction that the voter's
18 ballot will be valid only if the affirmation statement is
19 signed[7] and any other information prescribed by the rules
20 [~~promulgated~~] adopted by the chief election officer."



1 SECTION 3. This Act does not affect rights and duties that
2 matured, penalties that were incurred, and proceedings that were
3 begun, before its effective date.

4 SECTION 4. Statutory material to be repealed is bracketed
5 and stricken. New statutory material is underscored.

6 SECTION 5. This Act shall take effect upon its approval.
7

INTRODUCED BY:

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Report Title:

Absentee Voting Violations; Elections Commission

Description:

Authorizes elections commission to investigate absentee voter violations and request the attorney general or appropriate county prosecutor to prosecute violations of absentee voter law.

